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FORMER PRESIDENT'S ACT OF 1987

HEARING

BEFORE THE

SUBCOMMITTEE ON
FEDERAL SPENDING, BUDGET, AND ACCOUNTING

OF THE

COMMITTEE ON
GOVERNMENTAL AFFAIRS
UNITED STATES SENATE

ONE HUNDREDTH CONGRESS

SECOND SESSION

ON

S. 1647

TO REFORM THE LAWS RELATING TO FORMER PRESIDENTS

MARCH 3, 1988

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FORMER PRESIDENT'S ACT OF 1987

THURSDAY, MARCH 3, 1988

U.S. SENATE,
SUBCOMMITTEE ON FEDERAL SPENDING,
BUDGET, AND ACCOUNTING,
COMMITTEE ON GOVERNMENTAL AFFAIRS,
Washington, DC.

The Subcommittee met, pursuant to notice, at 2:10 p.m., in room SD–342, Dirksen Office Building, Hon. Lawton Chiles, Chairman of the Subcommittee, presiding.

Present: Senators Chiles, Pryor, and Heinz.

OPENING STATEMENT OF SENATOR CHILES

Senator CHILES. Good afternoon. Since late 1979, and in each of the last five Congresses, I have introduced legislation to set some limits on the benefits of former Presidents. Several members of this Committee are lifetime and strong supporters of this effort, notably Senators Pryor and Roth.

This Congress, S. 1647, the Former Presidents Act of 1987, is the legislative vehicle which focuses on the question of what is the taxpaying public's responsibility to former Presidents. There are 16 other Senators cosponsoring the effort.

I have referred to this 9-year campaign as an effort to end the era of the "Imperial Former Presidency."

Back in 1958, the President of the United States was the only employee of the Federal Government not covered under a retirement program. When Harry Truman left office in 1953, he received no pension, no Secret Service protection, he answered mail with his own pen, and he paid for the stamps out of his own pocket.

Now, former Presidents receive a $99,500-a-year annuity, the same amount as a Cabinet Secretary earns as a salary. They receive an office allowance, staff, and automatic, around-the-clock Secret Service protection for life. Taxpayers have taken the responsibility of operating and maintaining their Presidential libraries as well.

Congress created these programs. They came about one by one, and they all started for very good purposes. Many of our past Presidents left office only to become paupers. Thomas Jefferson and Ulysses Grant are two such examples.

The American people want former Presidents to live a dignified life as elder statesmen, free from any real danger and free from the need to commercialize—to huckster—the Office of the Presidency. But the programs were left open-ended. Things have gotten

out of hand, and we have gone from $380,000 in 1960, to about $26 million this past fiscal year for the former Presidents.

Since 1982 it has cost more to finance former Presidents than to operate the White House for the sitting President. Moreover, former Presidents are very visible figures. Some of the excesses, like the large number of Secret Servicemen that travel with them, don't sit too well with the American public. Such symbols connote inappropriate trappings of office.

One of the things that Washington was asked at the time that he was stepping down was, wasn't he going to miss not being Commander in Chief, or President of the United States. How is it going to be to simply go back to being a farmer? He said he looked forward to it very much because he was getting ready to assume the Office of Citizen, and he considered it to be one of the highest offices in the land.

I am looking forward to assuming that office myself shortly, and I think that there is something to be said for the Office of Citizen. We have always really, I think, viewed the President as the person that we picked as a citizen. We give him this office with all of the awesome power that goes with it, the ability to even put us into nuclear war. But when he returns, he does return as a citizen. He does not return with a title and we do not look on him as a king or something like that.

We have made some progress in establishing reasonable controls and limits on the former President programs. Last Congress a new Presidential Libraries Act became law. President Reagan was grandfathered under the old law, but future Presidential libraries will require privately financed endowments and space limitations. Let me say, my hope is that the Reagan Library proposal, which should be forthcoming in the near future, will set a precedent and voluntarily follow the spirit of the new law.

Secondly, the bill before us today is identical to the one passed by the Senate unanimously last Congress. Office staff and allowances and Secret Service protection are the remaining subjects for both the House and Senate this Congress.

To me, the letters I have received from Presidents Carter and Ford also demonstrate progress. President Ford endorses the legislation. President Carter indicates support and willingness to look at the question of security. He suggests the present level of protection can be reduced, but doesn't favor elimination. His major concern is privacy.

President Nixon, on the other hand, gave up his Secret Service protection 2 years ago. I believe that his decision is proof positive that after time the danger to former Presidents greatly diminishes and that Secret Service protection can be relinquished.

For these reasons, I am optimistic the Former President's bill will become law this Congress.

Senator Roth, who could not attend today's hearing, has a statement that he would like accepted for the record and we do so at this time.

[Senator Roth's statement follows:]

OPENING STATEMENT OF SENATOR ROTH

Mr. Chairman, I congratulate you for your leadership on the issue of benefits to former Presidents and I am pleased to join with you again as a cosponsor of this legislation.

Back in 1979, you began to question the wisdom of unlimited benefits to former Presidents. The issue all along has *not* been whether former Presidents should have office space and mailing privileges and Secret Service protection; instead the issue has been how much is enough.

As you know, this was an area of great interest for me during my Chairmanship of the Governmental Affairs Committee. I am pleased that we made progress in this area. We enacted legislation that will limit the cost to the taxpayers of future presidential libraries and, through painstaking negotiations, we developed the provisions regarding the phase-out of Secret Service protection which are contained in S. 1647, the Former Presidents Act of 1987. Throughout, it was a bipartisan effort.

Prior to the 1950's, there were no benefits to former Presidents resulting from their service as President. In 1958, Congress authorized payment of a pension to former Presidents and authorized the provision of office space and mailing privileges. In 1962, Congress authorized Secret Service protection for former Presidents and their spouses during their lifetimes.

As with other elements of the Federal budget, the cost of providing these services to our former Presidents and their spouses has grown. Certainly, it is not a large part of our budget and our budget deficit; nevertheless it symbolizes the problem of the growth in federal spending in general.

The most expensive and controversial element of the total cost is Secret Service protection for the lifetime of former Presidents and their spouses. Through the negotiations that I mentioned a moment ago, I believe that this legislation provides for the necessary security for the former Presidents and their spouses while removing the unlimited duration—and, thus, cost—of Secret Service protection.

Now I understand that Michael Endicott, who has provided protective services to former President Nixon since he relinquished his Secret Service protection in 1985, has some proposals for security for former Presidents beyond the point where Secret Service protection would cease under the terms of this bill. I look forward to reviewing and evaluating his proposals.

I also appreciate the contributions to be made by our other witnesses today. I welcome them and look forward to reviewing their testimony.

Finally, I again commend you, Mr. Chairman, for your leadership on this issue. I am pleased once again to support you in your efforts.

Senator CHILES. The purpose of our hearing today is to update the record, to take the Administration's present pulse on the bill, and to hear from Mike Endicott, our lead witness.

Mr. Endicott is a unique and expert witness on the question of security for former Presidents. He headed the Secret Service detail at the time that it was covering President Nixon. He also, after President Nixon gave up his Secret Service protection, has been involved in a private protection plan with the President. So I think he can tell us what life without Secret Service protection is all about, and I feel it is important that the Committee hear his views.

Mr. Wright and Mr. Hilsher will follow and speak for the Administration, and Mr. Finch will provide us with the General Accounting Office update. I look forward to the testimony.

We will start off with you, Mike. Why don't you move over to that center seat, and we will take your testimony?

TESTIMONY OF MICHAEL ENDICOTT, PRIVATE CITIZEN, PRESENTLY EMPLOYED TO PROVIDE SECURITY FOR FORMER PRESIDENT NIXON

Mr. ENDICOTT. Thank you, Mr. Chairman, for this opportunity to speak to you and other members of this Committee.

My name is Michael Endicott. Since former President Richard Nixon relinquished his Secret Service protection in August of 1985

I have been employed by him to provide security services. Prior to this date I was the head of the Secret Service detail responsible for the former President.

Having spent 20 years with the Secret Service and the last 2½ years as the person responsible for the security of former President Nixon, Mrs. Nixon, and their property, I find myself in a unique position. I am the only person who has worked both government and private security of a former President.

Let me stress that I continue to have great respect for the Secret Service. I am proud of my career with the agency. As the agent in charge of the Nixon detail with the Secret Service, I had a reputation of being cost conscience and innovative. The Nixon detail had smaller numbers than both the Ford and Carter protective details. I feel I pioneered new procedures and developed cost-saving practices.

For the last 2½ years, I have traveled to cities around the world, including numerous USA cities, with former President Nixon. We have been to the Meadowlands for New York Giants football games, to Shea and Yankee Stadiums for Mets and Yankee games, Radio City Music Hall, Rockefeller Center, the circus and many other public events. At most of these events we usually sit in the general public seats, even though VIP boxes are usually available.

We have walked the streets of New York from the East Side to Midtown to the Wall Street area. We have also walked the streets of Washington, D.C., Los Angeles, San Francisco, Tokyo, Paris, London, Istanbul, Moscow, and Beijing, just to name a few. On most of those occasions I have been alone with the former President. I must say that never, and I repeat never, have I felt that the safety of the former President was threatened.

On one trip, in 1985, we traveled to Bangkok within a week of an unsuccessful coup d'etat. We have been to the Peshawar refugee camps, the Khyber Pass, China, Russia, England, France, Turkey, Burma, Korea, Singapore, Malaysia, and Japan. On all of the overseas travel I was the only security person from the United States. Additional security was provided by the host government as they saw fit. This is the normal procedure for visiting former Presidents.

When former President Nixon travels, he is extended the assistance of the State Department and any other appropriate Government agency. He receives the same assistance as other former Presidents who travel with the Secret Service.

When we travel domestically, I coordinate with the appropriate Federal, State or local law enforcement agencies. I advise the Secret Service of our travel schedule, and I check with the local Secret Service field office prior to arriving into their district. I make arrangements for additional security based on public exposure and the level of security provided by the appropriate police agency. Both public and private security forces have responded very favorably to assisting in the protection of former President Nixon.

Before I give you some observations about security, let me first comment on former Presidents returning to private life. Richard Nixon, Gerald Ford, and Jimmy Carter receive many, many pieces of mail. They get hundreds of requests from private citizens, the media, civic organizations, political groups and individuals, govern-

ment officials and others for meetings and consultations. They get these requests because of their former position as President of the United States. People want to see and hear from them.

In my estimation, the former Presidents cannot return to a private life. The public and the media will not allow that to happen.

How long should a former President have Secret Service protection? This is a question that Congress has been struggling with for quite some time. I appreciate that it is a very difficult question.

Let me suggest that above all you must look at the threat level; that is, the actual threats by an individual or individuals who are capable of carrying out a threat, and also at the interest level. This would be people who have come to the attention of the Secret Service because they have shown an unusual interest in the former President but have not made a direct threat.

My experiences of the last 22 years lead me to conclude that when a President leaves office the threat level diminishes much more rapidly than the interest level. The more controversial the individual, the higher the interest level but not necessarily the threat level.

If, however, the former President becomes involved in high profile private or government activities, the threat level could go up, as well as the interest level. Many of the emotionally disturbed people who write to the former Presidents or attempt to see them are looking for assistance and are not looking to harm or embarrass them. They see the former President as being able to assist them in resolving a problem.

There is no question that the Secret Service is the premier protection agency in the world. The Secret Service provides the highest level of security and no one in either the private or public sector can compare to them. However, there are a couple of questions that must be addressed.

First, is the level of protection provided by the Secret Service necessary?

Immediately after the President leaves office I believe it is both adequate and necessary. But there comes a point in time when the level of Secret Service protection is more than is needed to meet the threat level. I felt that way when I was in the Secret Service and my experience of the past 2½ years have confirmed it.

Second, can the Secret Service realistically lower the level of their security to one that is more in line with the threat and interest level?

I really don't think so. Let me explain. The United States Secret Service, in addition to protecting the former Presidents, is protecting the institution of the Secret Service. For them to retreat to the levels of protection that I am able to work with could threaten the existence of their organization in the event of an incident. They must protect against the potential threat, while I can protect against the actual threat.

Let me talk for a moment again about threat levels. Threats against government officials while in office are generally directed at the office and not at the individual. The threats usually do not follow the official out of office. The level and intensity of threats generally diminish the longer the official is out of office until the threats are more theoretical than realistic.

Nevertheless, one must always be prepared. You must understand that domestic and world events and media exposure often heighten anxiety in people who have emotional problems. This can result in an increase in both the threat and interest levels.

Intelligence is the key factor in developing the level of security for any individual. It plays an especially important role with the former Presidents. By intelligence, I mean the ability to take information otherwise gathered by the Secret Service from appropriate sources and have it flow to the person responsible for the protection of an individual.

Any bill that would relieve the Secret Service of the responsibility of protecting the former Presidents must consider the need for coordination between the Secret Service and the security staff of the former President on all intelligence matters. Adequate arrangements must be made to handle the flow of both routine and classified information. Informal arrangements are not the answer. If you ask me about that, Senator, I will be glad to elaborate.

I fully agree and support the Committee and Congress developing a time limit on the responsibility of the Secret Service to provide protection to the former Presidents and their families.

I do feel that the United States Government should continue to be responsible for their protection. I believe the Government should provide funding to the former Presidents so that they can manage their own day-to-day security needs. There is a need for a security or law enforcement presence around a former President that naturally flows from occupying the most important office in this country. But there does come a time when the level of protection the Secret Service is locked into is too much.

I recommend that a board—a review board be established to include professional career law enforcement people, congressional representatives and Treasury representatives. This committee would meet after the former President was out of office 5 years. It would then review the threat level, interest level, and other intelligence information available. It would also review the travel activities of the former President and make a determination if the Secret Service protection should be terminated at the 6th anniversary. If the board agrees that the Secret Service protection should not be dropped, the situation would be reviewed every 6 months.

When it is determined that the Secret Service is no longer needed, the staff of the former President should be increased by up to six positions. Full funding would include travel expenses. These positions would need to be empowered with full law enforcement powers to include the making of arrests and carrying of weapons. These people then could assume completely the operations and logistics roles ordinarily provided by the Secret Service. In addition to coordinating the travel schedule and security arrangements, they could travel with the former President.

When a President leaves office his new office space should be secured with GSA security equipment, so that when the Secret Service is gone GSA could maintain the system. Consideration should also be given to reassigning the technical equipment at the former President's residence to GSA.

Other areas which need to be accommodated when Secret Service protection is ended: audio countermeasures—the Secret Service

currently checks the office and residence of former Presidents for listening devices; Secret Service agents travel on diplomatic passports; clearances—various clearances are needed in order to deal with some of the intelligence information; 18 U.S.C. Sec. 879—it is a Federal violation to threaten former Presidents who are "protected by the United States Secret Service."

Since former President Nixon is no longer protected by the Secret Service it is not a Federal crime to threaten him. This has caused me problems on occasion. I do not believe the Congress intended this interpretation. Your legislation should clarify this point.

Specifically, 18 U.S.C. Sec. 879 should be amended to continue Secret Service responsibility for threats against a former President after the Secret Service physical protection has been discontinued.

Senator CHILES. Thank you, Mike. You spent 20 years in the Secret Service. Could you just give me a quick sketch of your career and what your assignments were—what some of your different assignments were?

Mr. ENDICOTT. Yes, Senator. I came into the Secret Service in 1965, in Sacramento, California. After 4 years I went to Washington. I was assigned to protect the details with the Support Division in Washington, and also 2 years with President Nixon. I served a short stint of 2 years in Tacoma, Washington, working criminal investigations, and I returned to Washington, D.C., in the fall of 1973, protecting Secretary of State Kissinger.

From there I was promoted to the Operations and Logistics Supervisor with the Vice President detail under both Rockefeller and Mondale, and, in 1979, I went to Kansas City as the Assistant Special Agent in Charge. In the fall of 1979 I was promoted to Special Agent in Charge of the former President Nixon detail and I remained there until my retirement in July of 1985.

During my career I have traveled to over 90 foreign countries and every State in the Union. I worked both the 1968 and 1972 campaigns. In 1968, I was responsible for stopping the firebombing of the residence of then Governor Ronald Reagan in Sacramento, California.

Senator CHILES. What can you tell us about the day-to-day security needs of former President Nixon?

Mr. ENDICOTT. The day-to-day needs for former President Nixon are really very minimal. His normal day, workday, is into the office by 7 o'clock in the morning and back to his residence by noon. I have security at his residence and I transport him back and forth to his office.

On many occasions I am the only individual with him when he goes out in public. But we travel to a building that is secured by Federal Protective Service and contract guards, so there is not a need for a big entourage of security personnel.

Senator CHILES. Do you get any threats that you can tell us about?

Mr. ENDICOTT. As far as threats go, we don't really receive a lot of threats. I took this detail over in 1979. Since 1979 till today, in almost 9 years we have had very few threats. The threats that we have had tend to come from individuals who are not capable of carrying the threats out—confined to mental institutions or confined

to prisons, et cetera, and they are really not capable of carrying out the threats.

Senator CHILES. The new question on the block is this question of terrorism. People raise the concern of what if a former President is kidnapped or taken by some terrorist operation. What would be your feeling on that?

Mr. ENDICOTT. Well, my comment on that would be that all three former Presidents—Nixon, Ford, and Carter—they all espouse the U.S. Government policy of not negotiating with terrorists and I feel, and I am assuming this, that if any one of them were ever taken hostage they would continue to support that policy, and I would think that they wouldn't expect to be ransomed.

As far as the ability to protect against terrorism, you can't base the protection of an official, a former official—even the former President of the United States—on terrorism. To do that, the cost would be astounding, if you think the costs are high now.

Senator CHILES. Have you had that concern in protecting President Nixon?

Mr. ENDICOTT. On specific occasions there might have been that concern; mainly, traveling overseas. However, on a case-by-case basis you can take appropriate security measures if you have, you know, the intelligence. But to do it on a daily basis lacking any specific intelligence is not a wise way to spend your resources.

Senator CHILES. How do you go about maintaining the law enforcement presence that you think a former President needs?

Mr. ENDICOTT. When former President Nixon decided to give up the Secret Service it meant that I would lose my Federal position of a law enforcement officer. So, through the White House and Justice Department, I was able to have myself appointed a special deputy U.S. marshal. It is a non-paying position but it allows me to travel throughout the country and carry a weapon with me, which allows me then to take it on airplanes, et cetera, and it gives me full police powers, the law enforcement powers.

Senator CHILES. You have arrest powers, then?

Mr. ENDICOTT. Yes, I do.

Senator CHILES. And you can carry a firearm?

Mr. ENDICOTT. Yes, I do—I can.

Senator CHILES. Do you have security clearances?

Mr. ENDICOTT. On my security clearances, again I turned to the White House and I made arrangements through them for the NSC to pick up my clearances from the Secret Service, so I do still have my security clearances from my Secret Service days.

Senator CHILES. Do you travel on a diplomatic passport?

Mr. ENDICOTT. I do not; I travel on a personal passport.

Senator CHILES. That would help you, if you could travel on a diplomatic passport?

Mr. ENDICOTT. I think that diplomatic or official would certainly be beneficial.

Senator CHILES. What can you tell me about why President Nixon decided to give up his Secret Service protection.

Mr. ENDICOTT. Well, it is an interesting story, Senator. President Nixon, probably starting about 5 years ago, told me he wanted to give up the Secret Service. The first time he approached me about it I recommended very strongly that he not do it. He was con-

cerned about the numbers that were around him and the lack of privacy. But on this particular occasion I was able to convince him that it was important for him to continue with Secret Service protection.

About a year or so after that he brought it up again, that he wanted to get rid of the Secret Service. For a second time, I talked him out of it. Then in March of 1985 he came to me and said that he wanted to give up the Secret Service protection and that he was not going to let me talk him out of it.

Over the next 3 hours we had intense conversations about the Secret Service, about a reduction in numbers. I tried to negotiate with him some type of an acceptable presence by the Secret Service. He would not hear any of it. He considered it but wouldn't hear it, turned it all down, and then I spent the next 3 hours talking with him about what he was going to do. I feel very strongly, and that is why I am here today, that former Presidents need a security presence around them and they need a legitimate Federal law enforcement presence around them. And, as a result of those conversations, I retired in July of 1985 from the Secret Service when I had 20 years on board, and I took over his security privately.

He gave it up—basically his argument was the numbers were just too many, and that he——

Senator CHILES. Roughly, what was it costing to protect him at the time he gave it up?

Mr. ENDICOTT. According to figures that he alleges he got from the Secret Service it was costing in excess of $3 million a year to protect him. And the numbers, he saw—many of the agents who he came to know, he knew that the Secret Service responsibility included the criminal side, forgery of Government checks and bonds, he knew that people like the President needed agents, and he felt he didn't, or didn't need as many.

Senator CHILES. He knew that given the training of the cadre of the people that he had around him it was not necessary to keep that kind of a trained force to protect his person or family?

Mr. ENDICOTT. The first conversation I had with him when I took over his detail, in September of 1979, he complained to me about the numbers of Secret Service agents, and I told him at the time that I would review it. I told him that I considered myself one of the premier operations and logistics persons in the Secret Service, and I assured him that the numbers that we had would be the absolute minimum numbers that the Secret Service needed to perform the mission.

And over the course of the 7 years that I was with him, I had a number of cutbacks in personnel that I initiated, because I agreed that the numbers were too large. I took fewer people on the road, when we went on the road, than the other details. I had a relationship with the Secret Service Headquarters that allowed me to do what I felt needed to be done.

For example, on a particular trip overseas I had somewhere—I guess maybe 15 agents accompanying me. There was another American dignitary who was going to be over there with Secret Service who had more, and Secret Service Headquarters said, "You have to send more people." I said, "I am not sending more people.

This is all I need." So I went with my level. I don't know whether they reduced the other level of the dignitary or not.

Senator CHILES. They thought it would be embarrassing if the other dignitary, who was of lesser rank than the former President, had more Secret Service?

Mr. ENDICOTT. Yes.

Senator CHILES. You can kind of count the importance of somebody by how many Secret Service agents are around them?

Mr. ENDICOTT. I am not sure it is exactly that. The Secret Service is a unique organization.

Senator CHILES. How many RAM cars?

Mr. ENDICOTT. Well. The Secret Service is a unique organization. As a supervisor, I think it is a great organization. They let you be creative and they let you do your thing. I happen to be very creative and they let me do my thing. I think some of the other people maybe are not quite as creative.

Senator CHILES. Well, you were not quite as concerned about protecting your flank, perhaps, as some?

Mr. ENDICOTT. That is safe to say.

Senator CHILES. Has former President Nixon ever had second thoughts about relinquishing his Secret Service protection in terms of his security?

Mr. ENDICOTT. No.

Senator CHILES. You haven't heard him express that, I take it?

Mr. ENDICOTT. No, no. One of the things he used to say to me when I had the detail, and I think probably most people recognize that President Nixon is a real sports fan. He loves baseball, loves football, loves to go to the games. He went occasionally when I had the Secret Service detail, but on a number of occasions he said, "You know, Mike, if we didn't have all these people we could go to more ball games."

Now he knew how much I loved to go to ball games, so I, you know, thought he was trying to intimidate me into cutting it back more so that we could go. The long and the short of it is, since he has discontinued the Secret Service, we go to a lot more events. It may sound strange, but there is more privacy with fewer people.

Senator CHILES. There is more privacy with fewer people.

Is the Secret Service aware of the way you operate now?

Mr. ENDICOTT. I think maybe, but only in very general terms.

Senator CHILES. Have they ever sought to debrief you about how your particular operation is now?

Mr. ENDICOTT. No, they haven't.

Senator CHILES. I want to see if I can sort of summarize your basic point. You are saying that after a time the threat level to a former President does diminish but, even though that happens, basically the Secret Service can't do anything but continue to provide a full comprehensive protection.

Then I think you say there comes a time when Secret Service with its particular training is not needed, but there is a need to maintain a law enforcement presence, and that can be done inexpensively as compared to what it now costs to have the Secret Service now doing this. Is that correct?

Mr. ENDICOTT. I think that is a fair review, yes. I think this Committee would be making a terrible mistake if they proceed with the

bill that they have that terminates all protection at the end of 5 years.

Senator CHILES. But your feeling is that we should not seek to terminate all protection but that we can greatly reduce the cost and at the same time provide a level of protection for the former President?

Mr. ENDICOTT. Yes, sir.

Senator CHILES. I take it you are familiar with the "60 Minutes" piece CBS aired on Secret Service protection of former Presidents, when Mike Wallace interviewed both Ford and Carter. I want to ask you, are you familiar with that?

Mr. ENDICOTT. Yes, I am familiar with it, Senator.

Senator CHILES. I want to ask you about an observation that President Carter made, and I hope I am quoting him correctly, but it was on page 16 of the transcript that we have provided for you. He said:

> If a former President wants to play at all an active life, being frequently exposed to the public, sometimes very large crowds, making some travel in foreign countries, it is not a matter of protection from assassination or injury, but it is a matter of providing some degree of privacy. Here in Plains we have a steady stream, not a large stream, but a steady stream of tourists who come to Plains, and in order for us to get any rest or to do our work here in Plains, we need some privacy. So I would say Secret Service is more needed for privacy than for security.

Let me ask you whether a former President can have a little more privacy if he doesn't have the full cadre or detail of Secret Service around him?

Mr. ENDICOTT. You know, I think I can really understand and appreciate what former President Carter is saying. There is a security reason for the former Presidents to have the Secret Service or a protective agency, you know, with them. Even though the security necessity may be submerged below the privacy issue, it is there. Having large numbers on the security staff doesn't ensure privacy. It may ensure security. But those are two different things. You can get privacy by turning off the television or turning off the radio. And when the former Presidents are out in the public and they have a large staff and/or security with them, this only brings the people's attention to them and causes the privacy to be intruded upon.

Senator CHILES. Tell me what you think the difference is between meeting privacy needs and security needs of a former President?

Mr. ENDICOTT. Well, both of them are intertwined. Now, I think the way—my approach and the way that I look at it—is that there are times when you are going to have exposure. It is public, people know you are going to be there. You need a level of security. There are other times when you are going to be doing things privately, nobody knows you are doing those things, whether it is going to a doctor's appointment or going to, for example, the Mets ball game or going to a restaurant—if nobody knows you are going there, by announcing it with a, you know, large Presidential security forces, you now do away with the privacy.

So I feel that at times where the former President wants to be private you use a minimum number of people and you don't alert the public to what you are doing, and you can stay private with small numbers.

Senator CHILES. In a letter provided to me by Mr. Taylor, President Nixon's assistant, he indicated on a number of occasions that Mr. Nixon did urge the agency to reduce the size of the details assigned to him and Mrs. Nixon. He urged them to reduce drastically, the number of agents who accompanied him abroad on his visits to China and other countries. His argument was that the host always provided more than enough security.

I think Mr. Taylor indicated to us that none of the former President's suggestions were followed. I don't know whether you were a part of his detail then, but now you are on the other side of the fence. Why do you think they weren't followed at that time?

Mr. ENDICOTT. I was, in fact, in charge of his detail. I think that probably Mr. Taylor is incorrect. During that time we, in fact, did have cutbacks in manpower, and I did respond to the best of my ability to former President Nixon's request.

However, I believed that the level that he wanted, I wasn't able to get down to that level. But, in fact, when we went to China and various other stops we took far fewer people than either the Carter or Ford detail.

Senator CHILES. Well, he did indicate that host countries were delighted and surprised when they found out that they didn't have to arrange accommodations for, and I think this figure has been made public, some 20 to 24 agents that went along with the former President.

Mr. ENDICOTT. Last time former President Nixon went to China with Secret Service I sent eight people. So, you know, I did respond the best I could, but I felt that we still needed that many.

Senator CHILES. Well, can you say whether you think the host countries were kind of happy when they didn't have to provide the accommodations for——

Mr. ENDICOTT. I am sure they were. They are happy now when I travel with him. I am all by myself. So, you know, they are delighted.

Senator CHILES. Let me talk ballpark on what the cost of the alternative to Secret Service you propose would cost. You recommended up to six people. We have seen that the present details can be 20 to 24. President Nixon indicated that $3 million was his cost the last year under his coverage. You tell me you had already reduced the number of agents at his request at that time.

What do you figure the outside range of the cost would be?

Mr. ENDICOTT. I really think that first of all each of the former Presidents has his own security problem based on his policies when he was in government and based on where they live, the part of the country, and the type of travel they do. It is difficult to assign a number or a dollar value to blanket and say everybody has to fall in line. But my feeling is that if you are looking at in the $350,000 to maybe $450,000 range, you can provide more than adequate protection for any one of the former Presidents.

The numbers I think really—maybe it costs me more for six people in New York and you can hire 10 people in Plains, Georgia, for the same amount. I originally came up with a number or factor. I would probably prefer to deal with a budget factor, with a dollar factor, and, you know, leave it up to the former Presidents to develop. Because I think the former Presidents, Ford and Carter, they

may not realize it but as President Nixon has found out there is a heck of a lot more privacy when you get away from the big numbers.

And I can understand why they would be concerned about losing the operational and the logistical support of the Secret Service because they are second to none. But I am a former Secret Service agent and I am every bit as good as they are.

Senator CHILES. Well, now when you talk about the operational logistical support, you are now not talking about security coverage, are you?

Mr. ENDICOTT. Well, I am, because I feel that in addition to—in operations logistics support, I mean being able to operationally and logistically set up the trip, you have to have people with them and have some type of adequate security arrangement at the residence.

Senator CHILES. Well isn't there also an operational logistical support, travel arrangements, taking care of the luggage, taking care of things that are a little different from security?

Mr. ENDICOTT. But if you are not traveling with 25 or 30 people, you don't need as many people. You know, right now I travel with President Nixon by myself, so, you know, that is not a problem.

Senator CHILES. But there aren't as many people to carry the bags, then, are they?

Mr. ENDICOTT. Well, President Nixon is not afraid to carry his own bag. President Carter has been shown on television many times carrying his own bag. I don't think we should be spending, you know, $10, $15 million a year of the Government's money so that somebody else can carry a bag. But I think that was one of the points in the "60 Minutes" show, and, you know, I am not sure Secret Service carries bags.

Senator CHILES. Did you ever carry any bags when you were a member of the Secret Service?

Mr. ENDICOTT. I carried a lot of bags. I opened a lot of doors. I have done it for my mother, I would do it for your mother, and I would do it for Mrs. Nixon, President Nixon or Mrs. Carter any day of the week.

Senator CHILES. Sure. What is your view of the threat widows of former Presidents face?

Mr. ENDICOTT. As far as the widows of former Presidents go, you know, the threat level against the First Ladies while they are in office is very low, and it diminishes much more rapidly than the President when he leaves office. And I think that as far as the widows go, the threat—I don't know specifically in Mrs. Johnson's case, but my guess is the threat is basically non-existent.

Senator CHILES. How about the threat to spouses of former Presidents?

Mr. ENDICOTT. In the 9 years, or 8 years that I have been associated with President and Mrs. Nixon I have never known us to have a threat against Mrs. Nixon.

Senator CHILES. You indicated that adequate arrangements need to be made to handle the flow of intelligence and that informal arrangements are not the answer. What do you mean by that, informal arrangements?

Mr. ENDICOTT. Well, when President Nixon gave up Secret Service protection and I first talked with the Secret Service about it, I

was not aware that 18 U.S.C. 879 was not in effect, and Director Simpson of the Secret Service indicated to me that the Secret Service would continue to work with me on intelligence information on threats against the former President.

Subsequently, the 18 U.S.C. 879 issue came up and Secret Service Legal ruled that it was not a violation since the law reads "those former Presidents who are protected by the Secret Service." Within the Secret Service there seem to be a difference of opinion. One group felt that since the law was there and the intent of the law was to provide it, the intelligence, and the fact that all President Nixon had done was sign a letter that said "I no longer want the protection" that, in fact, he should have still gotten the intelligence support, or that the threat law should have been in effect.

However, Secret Service ruled against it. We have had—over the last 2½ years we have had kind of a bumpy road on developing an adequate line of communications to provide the information. My feeling is that if the Secret Service had a vested interest, because they were responsible for the intelligence, that they would then establish stricter policies and it would be a much better relationship.

Senator CHILES. Well, then you would suggest that if we had legislation that did something that changed the protection from Secret Service to a private protection there should be some arrangement, a formal arrangement that the threat assessment would still be available?

Mr. ENDICOTT. Yes. If this Committee doesn't resolve this issue this year, then I plan on approaching other people about getting it done separate from this Committee, because I think it should be done.

Senator CHILES. Senator Heinz?

Senator HEINZ. Mr. Chairman, first I would like unanimous consent to put my entire statement in the record.

Senator CHILES. Certainly.

Senator HEINZ. Thank you very much.

[The opening statement of Senator Heinz follows:]

OPENING STATEMENT OF SENATOR HEINZ

Mr. Chairman, I would like to commend you for your long-standing interest in the treatment of former U.S. Presidents. Certainly, at a time when the deficit remains nearly $150 billion, when a broad range of valuable programs—education, health care, employment services—must be funded at less than we might like, we should certainly take a close look at the costs of maintaining former Presidents.

Chairman Chiles has proposed the Former Presidents Act of 1987. The legislation makes a number of changes in spousal pensions. Office and staff of former Presidents, and Secret Service protection of former Presidents.

Our witnesses today will give us some insight into those changes in the Former Presidents Act which may be needed. Michael Endicott, for instance, has particular expertise in cost-effective security. Mr. Endicott is currently responsible for the personal safety of former President Richard Nixon. His background as both a Secret Service agent and as the person responsible for the security of a former President provides us with a unique opportunity to examine the potential of this legislation.

There is no doubt that it will save money. The idea of matching the level of security with the level of threat is a sound one. My concern, however, is that this country must provide protection for these individuals because of their importance and stature.

Safety must come first. The case of Aldo Moro in Italy demonstrates the collective national agony that the kidnaping of a former leader can cause.

I am further concerned that we not roll back other protections for former Presidents. We all have read of American Presidents who died in poverty—Thomas Jef-

ferson, James Madison, and more—who had to sell their possessions to keep food on the table. Certainly, I don't believe the chairman has proposed going back to those days. His concern, quite rightly, is that we may have gone too far in the other direction.

I am looking forward to reviewing today's proceedings in order to learn more about our system of benefits and protection for former Presidents, and about the proposal from my friend, Senator Chiles.

Thank you, Mr. Chairman, for you efforts to see that we move toward intelligent ways of protecting our Nation's former leaders, in a fiscally responsible manner.

Senator HEINZ. Mr. Endicott, thank you for being here. I just want to say, Mr. Chairman, that at a time when the Federal budget deficit remains very high, at least $150 billion, and when a broad range of valuable programs—education, health care, employment services—have to be funded at less than we like we should certainly take a look at the cost of maintaining former Presidents, and I commend you, Mr. Chairman, for holding these hearings.

I suspect that there are some good suggestions that witnesses such as Mr. Endicott can make to us that could save us money, but I also think we need to state for the case that safety must always come first. I am reminded of the care of Aldo Morro in Italy, just how collective and big a national agony a country can go through when a former leader, as was the case with Mr. Morro, was kidnapped.

I am also concerned that in economizing, and there certainly have got to be ways we can do it, we bear in mind that there are a number of rather famous American Presidents—Thomas Jefferson and James Madison, to name two—who died in poverty. They had to sell their possessions just to keep food on the table.

I don't believe that is what Chairman Chiles is proposing. I don't think he is proposing to do anything like that, but I think that we need to bear in mind that it is possible not only to react but to overreact, and I trust that we won't do that in this Committee. This Committee has a track record of being sensible and I don't expect that we will do anything that would either jeopardize the justifiable security, whether it be income security or physical security, of our former Presidents.

And, Mr. Chairman, I thank you.

Senator CHILES. Thank you, sir.

Senator Pryor?

OPENING STATEMENT OF SENATOR PRYOR

Senator PRYOR. Senator Chiles, I want to thank you for having these hearings. I have been in the Senate now I think for about 9 years. When I came to the Senate you were the undisputed leader in this area of looking at expenditures and the growing expenditures for past Presidents and their families. At no time in your history or no statement have you ever made that indicated to me or anyone else, to the best of my knowledge, that you in any way wanted or desired to decrease or take away from the safety capacities and security capacities that we must provide for our former Presidents and their families.

However, there is the issue of budgetary concerns, and also there is the concern that many of these dollars could be looked at through oversight procedures, that we could cut back on some of

these, and I think Chairman Chiles has done an excellent job in continuing oversight on these particular programs.

And I just want you to know, Senator Chiles, and all of the members of this Committee that we will miss you dearly, not only in this effort that you have been involved in, but many other efforts that you have been an inspiration to all of us on this Committee and in the entirety of the United States Senate. After you are gone I hope that there are others of us who can stay on this issue, continuing oversight. Because, of course, that is this Committee's chief, number one obligation; and that is, to constantly oversee the programs that we start and also that we fund.

Senator CHILES. Senator Pryor, I thank you for those kind words. I don't think you could scratch any United States Senator and find one that would not like to be a former President.

I am delighted to hear your statement that there will be someone here still talking about that. I think that perhaps out there, there is a feeling—and I say out there; I just say in the broad spectrum out there that somewhere there is a feeling that if we get by this year we won't have to worry any longer because this guy will be gone and his quest about that will be gone. I am delighted to hear you say that if the bill doesn't become law this year, if we don't finish all of it you will be here. Knowing of your persistance and also your effectiveness, it is good to sort of have people out there know that it is not going away.

Senator PRYOR. Now, Senator Chiles, I want to tell you about the real world, if I could, and I do appreciate your statement. I want to give our friend here and you a little personal insight.

I had only a minuscule situation regarding protection of myself when I was Governor, and my family, for 4 years. I always wondered if all those people were necessary, and honestly I think probably a Senator, if you really get down to it, I think a Senator probably needs, really, more protection than a Governor. I have served in both capacities. Only one time during the 4 years that I was in the Governor's office, Senator Chiles, did I have any what I would call—maybe two times. I won't mention the second time, but one time I did have difficulty. It was at an Arkansas Razorback-Texas Longhorn football game. And during the halftime I went up the ramp, and was going to get some popcorn, and I had with me a plainclothes, very husky, strong Arkansas State policeman.

All of a sudden some man grabbed me and pushed me down on the concrete and proceeded to beat me up. And fortunately, my friend Mr. Fullen, Officer Fullen, interceded in my behalf or I would have not been here now probably, hauled the man off to the pokey and interrogated him the rest of the night. He asked him why would a fine Governor like me, and a nice fellow, get beat up on at a Razorback football game? The answer was he had sent a request to Governor Pryor the year before that wanting two free tickets to the horse races, and I had responded by sending only one ticket, and he had been mad all of that time. And the first time he had a chance to see me he was going to try to settle the score.

I had one or two other little fracas but none quite that serious. But, as all of us have watched Presidents, and we watch their protection, we know many, many instances where the Secret Service has been there and on the spot, and had you not been there, there

would have been a tragedy. And to you in the Secret Service, who are in the Service and former members of the Service, we take off our hat.

Let me just state, if I might, in closing that we are trying to find a balance. We are trying to find the balance between proper dollars that we expend for these services and also to provide for the safety of the former Presidents and their wives, and their families. It is not an easy balance. I think if we took a poll around the country today I think we would find that most of our taxpayers would be willing to pay for adequate and proper protection.

But it is when it goes beyond adequate, when it goes beyond what is necessary I think that sometimes the taxpayers get pretty riled up about it, as we say. They write to us and they say, "We think that you ought to do some checking in on this," and that is exactly what Senator Chiles 'legislation, S. 1647, is all about.

I came here today to support that legislation. Also, to support our former Presidents and their families, the Secret Service or those who protect their lives. We have seen a tremendous growth in the cost of protecting the lives of these former Presidents and their families, and once again we are trying to achieve and to find that balance.

Mr. Chairman, I have a short statement. I am not going to read it. I would like it placed in the record.

Senator CHILES. We certainly shall.

[The prepared statement of Senator Pryor follows:]

PREPARED STATEMENT OF SENATOR PRYOR

Mr. Chairman, I appreciate the invitation to join you today. This hearing and your bill, S. 1647—of which I am an original cosponsor—demonstrate your unyielding determination to bring fiscal responsibility to taxpayer financing of former presidents activity.

I fully support you in your efforts to secure passage of legislation during this session of Congress—to build upon what we did in 1986—to further reduce unnecessary expenditures on former presidents. However, I want to pledge to you now, that when you leave this great body—and we are without one of our nation's most dedicated and determined public servants—the work will continue. I became interested in this issue early in my first year in the Senate and chaired oversight hearings on the Former Presidents Act and the Presidential Transition Act. If necessary, I will work with others to carry on your work on this legislation after you leave.

We were pleased that the Congress approved, and the President signed, the Presidential Library Act of 1986, which controls the expenditure of taxpayer dollars for the maintenance of presidential libraries. This was a victory, but only a partial victory, since two sections of the original comprehensive bill were not signed into law. These two areas, Secret Service protection and office allowances, are the primary areas addressed by S. 1647.

As an aide, I might note Mr. Wright, OMB deputy director, will be testifying later. On January 14, I wrote the President asking him to consider voluntary compliance with the endowment portion of the Presidential Library Act of 1986. I have yet to receive a response. Such compliance would likely save the federal treasury in excess of $1 million per year. President Reagan's library would therefore serve not only as a depository for the documentary legacy of his years as President, but also as a living legacy of his support of private sector initiatives and volunteerism as a means of reducing federal government spending. Perhaps Mr. Wright's staff could inquire into the status of the response to my letter.

Mr. Chairman, it is startling to note that costs to taxpayers for former president programs grew from $64,000 in 1955 to over $24 million in 1986. Although we have controlled the greatest source of expense to the taxpayer—presidential libraries, Secret Service protection and office allowances must still be dealt with in legislation. Hence the need for adoption of S. 1647.

The cost of Secret Service protection for former Presidents and their families was more than $8 million in 1986. Your bill, Mr. Chairman, S. 1647 replaces lifetime Secret Service protection with automatic 5-year protection and provides for emergency and extended protection in excess of five years if such protection is deemed necessary.

At this point I would like to make it clear that I recognize the responsibility we have to protect the men who have served as President. But we must also take a realistic look at how much protection is needed, for what members of the family, for how long, and how to most efficiently provide it.

In 1986, over one million in taxpayer dollars were spent on office allowances. S. 1647 establishes a $300,000 annual cap on staff and office allowances, to be reduced over a nine year period to $200,000. This provision freezes expenditures in this area and will reduce costs in the future.

Again, I might point out that we in Congress recognize that the transfer from public to private life of the Nation's Chief Executive must involve some ongoing federal financial assistance. But in today's economic climate, we must scrutinize all expenditures of taxpayer dollars and former presidents must not be exempted from that scrutiny.

Mr. Chairman, again, thank you for having me. I look forward to working with you on this important legislation in the remaining months of the 100th Congress. I will certainly lend my best efforts to achieve early approval of your legislation.

Senator PRYOR. Once again I commend you for holding these hearings.

Senator CHILES. Thank you very much.

Senator PRYOR. Senator Chiles, if I might also, and this is really not the proper place to do so. But I would like just for the record to reflect that even though S. 1647 does not cover Presidential libraries, that Act that was signed I believe in 1987. Back on January the 14th I wrote a letter to President Reagan urging him to comply not only with the letter but also the spirit of that law, especially as it applies to private donations of public buildings and libraries where the Government must operate those libraries. I think the President has an obligation to come up here with some—and his people—with some foundation money to help operate those buildings that are being given for those libraries.

And I would like to ask, Mr. Chairman, unanimous consent that my letter to the President, dated January the 14th, be placed at the appropriate place in the record.[1]

Senator CHILES. The letter will be placed in there.

Senator PRYOR. I thank you.

Senator CHILES. And if you have an answer, we will put that in there, too.

Senator PRYOR. There is no answer yet. I am still waiting.

Senator CHILES. Well, when we get the answer we will put that in as well.

Senator PRYOR. Thank you, Mr. Chairman.

Senator CHILES. Thank you very much, Mike. We appreciate your testimony. It is very helpful to the Committee.

Mr. ENDICOTT. Thank you.

Senator CHILES. Now we will ask Mr. Joseph Wright—Joe Wright, Deputy Director of the Office of Management and Budget, and Gerald Hilsher to just come up together, if they will. Mr. Hilsher is the Deputy Assistant Secretary for Law Enforcement with the Treasury Department.

Joe, you have a statement you want to start with?

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[1] See p. 55.

TESTIMONY OF JOSEPH R. WRIGHT, JR., DEPUTY DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET; AND GERALD L. HILSHER, DEPUTY ASSISTANT SECRETARY FOR LAW ENFORCEMENT, DEPARTMENT OF THE TREASURY

Mr. WRIGHT. I will be glad to, Mr. Chairman. I have a prepared statement, and, with your permission, would just like to submit it for the record [2] and just summarize it, if I may. May I just submit it for the record?

Senator CHILES. Yes, sir.

Mr. WRIGHT. I am delighted to be up here to discuss S. 1647, the Former Presidents Act of 1987, and for the most part the Administration feels like it is appropriate that this legislation should be updated at some time. It was passed, I believe, in 1970 and many parts of it are out of date.

We do have some concerns, a few of them minor and a few of them serious, that I would like to go ahead and highlight for you.

Senator CHILES. Fine, sir.

Mr. WRIGHT. First of all, in the Title I we support the need to increase the spousal pension. The $20,000 per year has been in there for 18 years, since 1971. I guess in current dollars this would be worth about $6,000 or $7,000 a year today and that is kind of a piddling amount to pay to a former First Lady, and so we would recommend that it be increased but we would defer to the Committee on what the amount would be on that.

Next is on the President's office of administrative——

Senator CHILES. We are increasing it in the bill, of course.

Mr. WRIGHT. Yes, I know you are.

On many of these changes we have got some concerns, Mr. Chairman, about the office and administrative support. I am worried about a fixed funding level that, first of all, is not indexed because I think that is one of the problems we have had with the old law, in which case inflation immediately begins to erode the buying power. I think it would be a good idea to revise this to put in some type of indexing.

For example, in 1970, the current/former President statute established a limit of $96,000 per year on the funds that are spent by a former President on personnel costs. In current-day dollars that is $33,000. You can't buy too much for $33,000 in personnel costs today.

Put it another way, as I said in my testimony, if you wanted to provide the same staff support as was envisioned in 1970 you would need $282,000 per year in personnel costs alone. We think that indexing probably makes sense.

Senator CHILES. Interesting, Joe. Most everything we hear from OMB is that we should not have indexed the programs that we have indexed, and that indexing is bad when it relates to Social Security and COLAs, indexing is bad when it relates to retirement income of other folks, but indexing is all right when it relates to here. Is there some kind of a different standard?

Mr. WRIGHT. Well, I think, Mr. Chairman, there is probably a happy medium somewhere. In one case we have none for almost 20

[2] See p. 52.

years. In the other case we have it in a year. Like I said, in one case you are probably going too far, in the other one you are not.

Senator CHILES. All us pigs like to be indexed. Some of us like to be indexed more than others I think.

Mr. WRIGHT. Well, I think to hold it steady when you are talking about something that is buying personnel costs to support any activity, whatever it is, for a period of almost two decades is probably holding it down a little bit too much. It is not coming anywhere close by what was intended I think by the law in 1970.

I think, though, that the Presidents, the former Presidents should be allowed to propose under fairly close scrutiny by GSA and the Congress what they would need to have within certain guidelines for these office expenses, office and administrative expenses.

Let me explain why. First of all, the difference between a President who has been in for 8 years, like President Reagan will have been, and I believe the last time that happened was President Eisenhower, versus somebody who was in there for 2 years, there is a substantial difference in just the number of documents, the number of requests, the number of items that they are going to have to answer, the staffs that they probably should have.

Let me give you an example of a piece I took out of the fiscal 1989 Budget Report that came up just recently on the former Presidents. There are some dramatic differences between their requests even though the bottom line in this category you are talking about all fits with around the $400,000 category. For example, President Ford on travel proposed $40,500. President Carter is only $10,000. On the rental payment to GSA, though, you have got Presidents Ford and Carter are very low, in the $72,000 and $78,000, and President Nixon up in New York is $128,900. Going back the other way, President Nixon is only proposing to spend a little over $24,000 in telephones, while President Ford is requesting $54,000 in telephones. In other words, there are some dramatic differences between what they propose. I would assume all have very good reasons for it.

And I think it would be a good idea to give general guidelines in this area because I think guidelines are necessary, but then allow the Presidents to propose specifically what they would use it for, have it go through a good budget scrutiny at GSA, and then come up through the Appropriation Committees.

Another way of stating what some of the differences might be that would apply to President Reagan, in just cubic feet—I don't know why anybody would measure these type things in cubic feet, except it is coming from the Archives, so I guess this is what they are concerned about. In the number of papers, cubic feet of papers, President Reagan because of the 8 years is expected to have 25,000 cubic feet, compared to Carter's 11,700, Ford's 10,500, Nixon's 20,000.

On the number of gifts that they are going to have to handle, Reagan is 26,000 cubic feet compared to only 2,000 for Ford. So there is just big differences.

Now I have also got to say that I think the GSA is doing a pretty good job so far it looks like. Because I have gone back on some of the history of the former Presidents 'funding again in this catego-

ry. President Nixon spent $318,000 in 1980 and in 1988 spent $407,000. President Ford spent $375,000 in 1980, only $383,000 in 1988. President Carter spent $383,000 in 1983 and $387,000 in 1988. So it looks to me like it has been reasonable and they actually have not even been keeping up with inflation.

I would say, however, that if the Committee does feel that a level of funding is necessary, that the $300,000 right now, from what I have seen so far of what has already been proposed, and also has been studied for a long period of time, appears to be too low, and I think it should be indexed.

On the annual report, I think there should be an annual report. I think it is a good idea. I would suggest, though, that GSA prepare it for the Committee, and the reason is because I think you will get better information and you will get consistent information and you will get information that will be auditable and it will not require the staffs of the former Presidents and their offices to prepare reports in terms of publication costs and all the rest of it. They will have to provide the information, there is no question about it. But I think that GSA would be better at preparing that for you and you would be better served with that.

As to the proposed restrictions on the use of office and administrative support funds for partisan political or income generating activities, I am not aware of any abuse of a former President but we don't oppose that provision at all.

On the transition costs we think that this may duplicate the proposed Transition Effectiveness Act, S. 2037. We are on record of not disagreeing with the increase of costs for the incoming transition but we would also suggest that the outgoing transition has been held steady for a number of years also and that should be increased.

And finally, Mr. Chairman, I would say on the Secret Service provisions we oppose cutting back on the services provided the former Presidents and their families. I understand what you have said and I believe I understand where you are trying to get at in, like Senator Pryor said, trying to find a balance. But if the Secret Service were pulled back and nothing happened, then probably the legislation would be good legislation. But if something did happen, it would be very bad legislation. And I say at what price safety in this area, and it is just one that is concerning us. And while there would be some savings, there is no question, I think we are more concerned about that they would be outweighed by the potential increase of danger from those who are protected by the Secret Service who were former Presidents.

But with that I would hand the baton over to my partner up here at the table who is much more expert than I am.

Senator CHILES. Mr. Hilsher?

Mr. HILSHER. Mr. Chairman, I do not have a prepared statement but I am ready to answer any questions you might have, if I can.

Senator CHILES. All right, sir. Mr. Wright, we appreciate you coming up today to put forth the Administration's most recent position on the legislation. As I recall, back in the latter part of 1984 during the 98th Congress Senator Roth and I ran into a White House instigated hold on the bill when we tried to bring up the legislation for Senate debate. At that time Senator Majority Leader

Howard Baker recommended a conference, and Senator Roth and I sat down with you and Ed Meese.

Now I remember we did not talk about the Secret Service provisions but we did try to incorporate many of your suggestions on office staff and allowances. Isn't that basically where we are today, that we can get an agreement on office staff and allowances but there are reservations on giving up the lifetime protection?

Mr. WRIGHT. Yes, sir, that is basically where we are. I think we would be more than happy to go and work with you in the Title I, but we have serious concerns with Title II.

Senator CHILES. I want to ask you about the quote from President Carter that I cited earlier. In brief, President Carter commented, "It is not a matter of protection from assassination or injury, but rather providing some degree of privacy," and that the Secret Service he felt was more needed for privacy than security.

If we agree the public has a responsibility to help protect a former President's privacy, is the Secret Service the right agency to assign that mission? Is privacy a major mission of the Secret Service? And I ask you both this. How would we draw a line between protecting an individual's privacy versus his security?

Mr. WRIGHT. First of all, I would like to again refer this over to the Treasury Department who is responsible for this, but from a very novice standpoint, Mr. Chairman, I am not so sure that somebody who is being protected can fully appreciate the difference between privacy and protection in some cases. If everything goes smoothly, they probably think it was privacy, but somebody may have been hustling off somebody who was providing a direct threat, and they just wouldn't know about it.

So, Jerry.

Mr. HILSHER. I think from a lay view that, Mr. Wright, you are quite correct. I think it is difficult to separate the security and the privacy concerns. What President Carter perceives as a privacy interest is a Secret Service security interest, and the Secret Service was never intended to be a privacy agency or have that as their mission. Their mission is security.

But, Mr. Chairman, in regards to putting the quote of President Carter that you referred to, in a CBS interview, in context, I would like, with your permission, to refer to a portion of President Carter's letter to you of October 14 of 1987 that I think highlights this aspect. He states on the second page that "the elimination of security would make it almost impossible for us to live a normal private life at home free of uninvited visitors, to attend major events if our attendance is publicized or to travel to many places in our country or abroad."

He goes on to say, "There are fairly frequent occasions when people come to Plains who have threatened bodily harm to me or my family. There were three incidents of this sort just within the last month." Further in that paragraph, he states, "There is no way to anticipate when one of them could be serious."

So, although the perception, I would agree, that President Carter has is a privacy perception, I think that is the result of a successful security job that Secret Service is pursuing.

Senator CHILES. Well, it is interesting that even again in his letter he mentions the privacy thing first. That seems to come first

with him. And I think again you say that the agents aren't trained primarily—other people could help provide privacy, could they not, people that aren't trained to kill with either hand and have the kind of degrees of skill and expertise in many areas that a Secret Service agent is required to have?

Mr. HILSHER. I think that is quite accurate, and I also believe that Mr. Endicott showed us quite a distinction of what privacy is and what it is to different people. Mr. Nixon's privacy is being able to attend a baseball game as a fan. What Mr. Carter seems to be suggesting in his letter——

Senator CHILES. Is the United States required to keep a former President so that no one could come within seeing range of him? Is that one of our requirements?

Mr. HILSHER. Absolutely not, sir.

Senator CHILES. I sure hope that would not be your perception. It shouldn't be mine, either.

Mr. HILSHER. No, sir.

Senator CHILES. Okay. What is the Secret Service policy in regard to foreign travel on the part of a former President?

Mr. HILSHER. The Secret Service has a duty to protect anyone in a protected status in overseas travel. The decision on how many agents to assign to that protective detail depends upon the circumstances of that particular visit. That includes the level of the perceived threat, the level of interest toward that protected person, and also the level of cooperation and support that the foreign government will provide. And the numbers and the circumstances, the exact circumstances of the protection depend on the circumstances of that individual trip.

Senator CHILES. Well, it seems from President Nixon's experience where he talked about travel he didn't feel it was necessary to have as much coverage as the Service was going to provide when he went to places like China or other countries that were providing a lot of protection themselves, that the Service basically is going to send the full detail unless the former President requires something different.

Mr. HILSHER. And as Mr. Endicott indicated, that is a situation where it worked. The numbers were reduced as a result of the President's interest in reducing the numbers, and it worked because the Chinese were available to provide sufficient support to protect the President.

Senator CHILES. When I recall the numbers that were sent with Lady Bird when she went on a trip to Greece or even her trip to Latin America I have to wonder about the level of agents that you require as being necessary.

Mr. HILSHER. Senator, I can't tell you myself what the individual factors are that indicate the appropriate numbers, but if you would like to have someone from the Secret Service brief you and your staff on what decisions go into that I would be happy to make those arrangements.

Senator CHILES. What about domestically? Do you send the whole detail when the President travels domestically?

Mr. HILSHER. No, Senator. That is also decided on a case-by-case analysis. Again, the level of the threat, the type of activity, whether it is a public event, whether it is a private event, all go into the

calculus of deciding the numbers that are going to attend with the former President.

Senator CHILES. The figure that I have for Secret Service costs to former Presidents and their families in 1985 was $11.4 million. In a letter to me from John Taylor, President Nixon's assistant, he indicates that an official from the Secret Service visited Mr. Nixon and indicated the actual figure was some $26 million. I believe you have seen that letter and that comment.

How do we reconcile the 11.4 figure with what was told to President Nixon?

Mr. HILSHER. Well, we have been attempting to determine the source of that error. We are not aware who the official from the Secret Service was who Mr. Taylor is referring to. The $26 million may have included non-Secret Service costs such as libraries, staff, et cetera, but quite honestly, Senator, I don't know. I am aware that the figure is 11.4 million for 1985, and I have the figures for 1986 and 1987 if you would be interested in those numbers.

Senator CHILES. Yes, sir, I would.

Mr. HILSHER. The number for 1986 was $8,359,615.

Senator CHILES. Why is 1986 cheaper than 1985?

Mr. HILSHER. I don't know the exact reason for that, Senator, and I could supply that for the record.

Senator CHILES. Well, you had one fewer former President, did you not, who was asking for protection?

Mr. HILSHER. And that would account for the $3 million to which Mr. Endicott referred to. Thank you for the answer, Senator.

Senator CHILES. What do you have in 1987, then? Excuse me.

Mr. HILSHER. For 1987, we have $9,265,491.

Senator CHILES. Do you have an estimate for 1989?

Mr. HILSHER. No, Senator, we don't. I would not know whether it is going to be something above that $9 million or something below that $9 million figure.

Senator CHILES. Mr. Endicott raised the point that it is a Federal crime to threaten a former President protected by Secret Service, but that it may not be if the former President is not protected by Secret Service, that being some of the language in the statute. What is your interpretation of that?

Mr. HILSHER. I think a threat made against former President Nixon now that he is no longer with Secret Service protection would not be a crime as that statute is written.

Senator CHILES. Then do you think we need a clarification and change in that statute?

Mr. HILSHER. Yes, sir.

Senator CHILES. You would support that? The Administration would support that?

Mr. HILSHER. Yes, sir.

Senator CHILES. Good. I agree.

Well, I am looking forward to encouraging this Administration to think a little differently about automatic, "round-the-clock for life" Secret Service protection that is now provided. President Ford says he thinks the legislation is appropriate and he endorses it. President Carter says it can be reduced, and he sees the primary need for privacy. President Nixon is showing that a former President can exist without the Secret Service. Ladybird Johnson has not in-

dicated support for the change, but she has always said this is something Congress should determine.

Now it seems that President Reagan, or his people, seem to be the only ones to say that they don't want any change in the protection provided. I would hope that you all would carry the message that what we are talking about is something that happens 5 years down the road and that if the threat is there, the ability to continue protection certainly continues.

I think the testimony that Mike Endicott has given is persuasive, and I am persuaded that we perhaps should have provision for allowing a former President 5 years down the road to continue a form of protection that he decides to take on himself and that we should provide some funding for that. But I think it would be beneficial if everybody could agree on that change. And now we seem to have all the former Presidents agreeing accept for the one that is soon to be a former President I wish we might see some agreement on that.

I am going to ask it be included in the record, a little cartoon that says—this is an October 1984 cartoon,[3] but it says, "I'm going to vote for Reagan . . . I don't think we can afford another ex-President!" And maybe, you know, people might even think that about our candidates that are out there running now.

Senator CHILES. We thank you all very much for your attendance here today.

Mr. HILSHER. Thank you, Mr. Chairman.

Mr. WRIGHT. Thank you.

Senator CHILES. And now we will hear from Johnny Finch, the Deputy Director of the General Government Division of the General Accounting Office.

We first want to thank you very much. You all have been sort of following this with us and for us since we started it. We are talking about some 9 years ago I think. We want to thank you for testifying this afternoon. In the 9 years I have been working on it you have been tremendously helpful and nearly all of the recommendations that you have made have been incorporated in this bill. If you could give us an update, we would like to put your fact sheets into the record.

You might introduce your colleagues that you have with you.

TESTIMONY OF JOHNNY C. FINCH, DEPUTY DIRECTOR OF THE GENERAL GOVERNMENT DIVISION, GENERAL ACCOUNTING OFFICE, ACCOMPANIED BY RONALD L. KING, GROUP DIRECTOR, AND GARY V. KEPPLINGER, ASSISTANT GENERAL COUNSEL

Mr. FINCH. Thank you, Mr. Chairman. Thank you very much. We, too, have enjoyed the ride for the past 9 years or so. It has been interesting.

Senator CHILES. I trust there will be some other way to send your kids to school if this legislation were to pass.

Mr. FINCH. I hope so, sir. Yes.

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[3] See p. 57.

To my right is Ron King. He is a group director with our office and he has done most of the work that relates to former Presidents that we have shared with you in the past. To my left is Gary Kepplinger. He is an Assistant General Counsel with GAO.

We are pleased to be here today, sir, to discuss proposed reforms to the laws relating to former Presidents as contained in S. 1647. During prior Congresses, as you mentioned, similar legislation was introduced by you and in the House, and we have consistently supported the need to clarify certain provisions of the laws relating to former Presidents.

Your bill would expressly authorize the General Services Administration to provide services such as the use of military aircraft, the movement of household goods, and the provision of funds for former Presidents' initial transitions to private life.

I also want to take this opportunity to bring to your attention two additional matters which we believe should be addressed in the bill. These entail providing authority for GSA to acquire future office space before a President leaves office and clarifying the law to make it a Federal offense to threaten former Presidents whether they are receiving Secret Service protection or not.

First, let me address the specific provisions in Title I, section 102, of your bill which incorporate our previous recommendations relating to the laws concerning former Presidents. One such provision would authorize GSA to provide transportation to a former President on military or Government-chartered aircraft and would provide guidelines for the related reimbursement of costs and disposition of receipts.

This provision is important. As we previously pointed out, Agency general appropriations funds have been used to cover the cost of these services in the past, rather than the Former Presidents Act funds. Similarly, any recovered cost in the past have been deposited to miscellaneous receipts rather than to the Former Presidents Act account. Your provision would straighten this situation out.

Another provision would authorize the Administration——

Senator CHILES. Let me just see if I understand that. Right now it would not show up, really, as the cost of the former Presidents where this transportation has been provided, is that what you are saying?

Mr. FINCH. That is correct, sir.

Senator CHILES. This change would at least require it to be shown, or to show up, what this cost is?

Mr. FINCH. That is right, sir. Your change would correct the situation so that both costs and receipts would be reflected in the Former Presidents Act appropriation account.

Another provision would authorize the Administrator of General Services to move the personal effects and household goods of a former President, Vice President and their families from the Washington, D.C., area to any location they choose. The law does not explicitly address whether GSA can move a President's personal effects and household goods, although, in practice, these items have been moved for the outgoing President and Vice President, so this language would make everything aboveboard.

Senator CHILES. Would make legal what we have been doing without authority before?

Mr. KEPPLINGER. Well, sir, I don't know that anybody has ever questioned the legality of the use of GSA's funds to move the former Presidents. The problem has been that in the Former Presidents Act, the Act simply doesn't address this particular feature. Your bill would remedy that by making this one of those necessary services that the bill encompasses to be charged against the funds appropriated for former Presidents.

S. 1647 would also limit the period Federal employees can be detailed to a former President's staff to the end of the fiscal year in which that President leaves office. Such details are important to assist the former President in the period immediately after leaving office. However, our previous work indicates that once the initial, high-activity transition period is over the former President's permanent office staff should be able to handle the workload. Finally, the bill would require a president to include in the budget for the last fiscal year of a presidential term the funds needed to carry out the provisions of the Former Presidents Act should that president not be reelected. This requirement is intended to overcome the natural reluctance of a first-term president to provide such funds pending the outcome of an election in which that president is participating. If the president is reelected, the funds would be returned to the Treasury for reappropriation.

We fully support passage of these provisions. We also endorse the S. 1647 provision that would move to the Former Presidents Act the provision of the Presidential Transition Act of 1963 which covers the first 6 months after a President leaves office.

Now let me call to the Subcommittee's attention two additional revisions that we believe would improve the Former Presidents act and the law related to criminal offenses committed against former Presidents. The first of these would, in our opinion, improve the administration of the Act by providing more flexibility for expending funds prior to a President leaving office. The second revision would clarify Federal law to make it an offense to threaten a former President regardless of whether that former President is receiving protection from the Secret Service.

Under S. 1647 no funds could be expended until the day on which a President's term expires. However, GSA has a legitimate need to expend funds for planning and acquiring office space and furnishings during the transition period after the election but before the President's term expires.

If such funds are not available for expenditure during this period, it would be more difficult for GSA to provide an office for the former President by the time that President leaves office. We, therefore, recommend that S. 1647 be revised to make funds available under the Former Presidents Act for expenditure by GSA during the transition period to acquire and furnish an office for the outgoing President.

Senator CHILES. Have you coordinated that recommendation with Senator Glenn's Presidential transition legislation?

Mr. FINCH. Yes, sir, we have, and Senator Glenn's bill encompasses that notion.

Second, we have a suggestion for changing the law that makes it a Federal offense for any person to threaten a former President who is protected by the Secret Service. The law, as presently written, does not make it a crime to threaten former Presidents such as former President Nixon who have voluntarily waived such Secret Service protection. We recommend that the law be clarified to make it clear that it is a Federal offense to threaten former Presidents whether or not they are receiving Secret Service protection. And it sounds, sir, like we are not alone in that notion.

Senator CHILES. Yes, sir.

Mr. FINCH. That concludes my remarks, sir.

Senator CHILES. I see nothing in your testimony that suggests we need to change the levels of funding we have in the legislation for office and staff allowance.

Mr. FINCH. That is right, sir. We haven't done an in-depth analysis of the adequacy of the levels, but we do note that the fiscal year 1987 expenses of all three existing former Presidents are within the $300,000 ceiling that you would set. The future adequacy of that amount, of course, could depend on a number of factors including the state of the economy, inflation, choice of office location, all of those kinds of things. Given this the Subcommittee might wish to consider a periodic review of the adequacy of the ceilings or provide for such a review.

Senator CHILES. All right, sir. We thank you very much for your testimony today, and also for the work that you have done in the last 9 years.

Mr. FINCH. Thank you, Senator. And on behalf of the GAO may I say it has been a pleasure. We will miss you.

Senator CHILES. Thank you. We will recess our hearings then to the call of the Chair.

[Whereupon, at 3:35 p.m., the Subcommittee recessed, subject to call of the Chair.]

APPENDIX

100TH CONGRESS
1ST SESSION

S. 1647

To reform the laws relating to former Presidents.

IN THE SENATE OF THE UNITED STATES

AUGUST 7 (legislative day, AUGUST 5), 1987

Mr. CHILES (for himself, Mr. PRYOR, Mrs. KASSEBAUM, Mr. PROXMIRE, Mr. EXON, Mr. NICKLES, Mr. COHEN, Mr. MITCHELL, Mr. SANFORD, Mr. ADAMS, and Mr. CONRAD) introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

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A BILL

To reform the laws relating to former Presidents.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Former Presidents Act of 1987".

TITLE I—FORMER PRESIDENTS

SPOUSAL PENSIONS

SEC. 101. Subsection (e) of the first section of the Act entitled "An Act to provide retirement, clerical assistants, and free mailing privileges to former Presidents of the United States, and for other purposes", approved August 25, 1958

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(72 Stat. 838; 3 U.S.C. 102 note) is amended to read as follows:

"(e) The surviving spouse of a deceased former President shall be entitled to receive from the United States a monetary allowance at a rate per annum, payable monthly by the Secretary of the Treasury, which is equal to two-thirds of the rate which is payable under subsection (a) to a former President. The monetary allowance of such surviving spouse—

"(1) commences on the day after the former President dies;

"(2) terminates on the last day of the month before such surviving spouse—

"(A) dies; or

"(B) remarries before becoming sixty years of age; and

"(3) is not payable for any period during which such surviving spouse holds an appointive or elective office or position in or under the Federal Government or the government of the District of Columbia to which is attached a rate of pay other than a nominal rate.".

OFFICE AND STAFF FOR FORMER PRESIDENTS

SEC. 102. (a) Subsections (b) and (c) of the first section of the Act entitled "An Act to provide retirement, clerical assistants, and free mailing privileges to former Presidents of the United States, and for other purposes", approved August

25, 1958 (72 Stat. 838; 3 U.S.C. 102 note) are amended to read as follows:

"(b)(1) The Administrator of General Services (hereinafter referred to as the 'Administrator') is authorized to provide to each former President, upon request, necessary services and facilities, including—

"(A) one suitable office, not to exceed four thousand square feet in area unless the Administrator determines that circumstances exist to warrant the provision of an office in excess of four thousand square feet, in a public building owned or leased by the United States in a location in the United States as the former President shall designate;

"(B) appropriate equipment for such office, including furniture, furnishings, office machines and equipment, and office supplies, as determined by the Administrator after consultation with the former President or the individual designated by the former President under subsection (c);

"(C) payment of the compensation of members of an office staff designated by the former President at rates determined by the former President which are not in excess of the rate provided for level II of the Executive Schedule under section 5313 of title 5, United States Code, except that notwithstanding any

other provision of law, persons receiving compensation as members of an office staff of a former President under this subsection shall not be considered to be employees of the Federal Government except for purposes of chapters 81, 83, 84, 87, and 89 of title 5, United States Code;

"(D) payment of travel expenses and subsistence allowances, including rental of Government or hired motor vehicles, found necessary by the former President, as authorized for employees serving intermittently under section 5703 of such title;

"(E) when authorized by the President, transportation on Government aircraft or Government chartered aircraft solely for the purpose of enabling a former President to complete the affairs of such former President's office and otherwise as required incidentally to protect such former President;

"(F) communications services found necessary by the former President;

"(G) payment of expenses for necessary printing and binding, notwithstanding the provisions of section 501 of title 44, United States Code; and

"(H) movement of the personal effects and household goods of a former President and the family of the former President from the Executive Residence at the

White House in Washington, the District of Columbia, to a location in the United States selected by such former President.

"(2) Any Federal employee may be detailed to the office staff of a former President on a reimbursable basis with the consent of the head of the agency involved. Any such detail shall be for a period not in excess of eight months and ten days after the date on which the former President leaves office. An employee detailed to the office of a former President shall be responsible only to the former President for the performance of such employee's duties during the period of such detail. An employee detailed under this paragraph is deemed, for the purpose of preserving the employee's allowances, privileges, rights, seniority, and other benefits, an employee of the agency from which such employee is detailed, and such employee is entitled to pay, allowances, and benefits from funds available to that agency. The authorization and payment of such allowances and other benefits from appropriations available therefor is deemed to comply with section 5536 of title 5, United States Code.

"(3) The costs of providing transportation to a former President under subparagraph (E) of paragraph (1) shall be paid from amounts appropriated for such former President under subsection (i) and from such amounts as may be collected by the Administrator from the Secret Service, other

Federal agencies, or other persons for the use of space on Government aircraft or Government chartered aircraft and are credited (with respect to such former President) to the account for appropriations under this Act.

"(c) Each former President may designate to the Administrator an individual authorized to make, on the behalf of such former President, such designations or findings of necessity as may be required in connection with the services and facilities to be provided under subsection (b).".

(b)(1)(A) Subsection (e) of such section (as amended by section 101 of this Act) is redesignated as subsection (j).

(B) Subsection (f) of such section is redesignated as subsection (k).

(2) Such section is amended by inserting immediately after subsection (c) the following new subsections:

"(d) Funds provided for necessary services and facilities for a former President under this Act shall be used for activities which are the direct result of such former President having held the office of President. Such funds may not be used for partisan political activities or income generating activities (including the preparation of the memoirs of such former President and the preparation for any speech, radio or television appearance, or other activity for which such former President will receive any compensation or honorarium), as determined under standards established by the Administrator.

"(e)(1) The Administrator is authorized to provide necessary services and facilities to a former Vice President for use in connection with winding up the affairs of office of such former Vice President. Such services and facilities shall be of the same general character as the services and facilities provided to a former President under subsection (b). The Administrator shall provide for the movement of the personal effects and household goods of a former Vice President and the family of the former Vice President from the Vice President's House in Washington, the District of Columbia, to a location in the United States selected by such former Vice President.

"(2) Each former Vice President shall be entitled to conveyance within the United States and its territories and possessions of all mail matter, including airmail, sent by such former Vice President under the written autograph signature of such former Vice President in connection with preparations for winding up of official duties as Vice President.

"(3) No funds for necessary services and facilities provided to a former Vice President under this Act shall be used for partisan political activities or income generating activities (including the preparation of the memoirs of such former Vice President and the preparation for any speech, radio or television appearance, or other activity for which such former Vice President will receive any compensation or honorarium), as determined under standards established by the Administrator.

"(f) No funds appropriated under this Act may be expended by the Administrator for the provision of services and facilities under this Act with respect to a former President or former Vice President at any time after ninety days after the date on which such former President or former Vice President dies.

"(g) Except for expenditures from an imprest fund consisting of such amounts as the Administrator shall determine, any expenditure of funds under this Act may be made only with the prior approval of the Administrator or the designee of the Administrator.

"(h) By March 1 of each year, each former President shall prepare and transmit to the Committee on Governmental Affairs of the Senate, the Committee on Government Operations of the House of Representatives, and the Committees on Appropriations of the Senate and the House of Representatives a report concerning activities carried out with the funds for necessary services and facilities provided under this Act.

"(i)(1) To carry out the provisions of subsections (b) and (e), there are authorized to be appropriated to the Administrator with respect to a former President and former Vice President a total of $1,000,000 for the fiscal year in which the term of a former President expires, except that no funds

appropriated pursuant to this paragraph shall be available for expenditure until the day on which such term expires.

"(2) Except as provided in paragraphs (3) and (4), to carry out the provisions of subsection (b) with respect to each former President, there are authorized to be appropriated to the Administrator—

"(A) $300,000 for each of the first four fiscal years beginning after the fiscal year in which the term of a former President expired;

"(B) $250,000 for the fifth and each of the three succeeding fiscal years beginning after the fiscal year in which the term of a former President expired; and

"(C) $200,000 for the ninth and each of the succeeding fiscal years beginning after the fiscal year in which the term of a former President expired.

"(3) Except as provided in paragraph (4), to carry out the provisions of subsection (b) with respect to any individual who is a former President on the date of enactment of this subsection, there are authorized to be appropriated to the Administrator—

"(A) $300,000 for each of the four fiscal years beginning after the fiscal year in which this subsection is enacted;

"(B) $250,000 for the fifth and each of the three succeeding fiscal years beginning after the fiscal year in which this subsection is enacted; and

"(C) $200,000 for the ninth and each succeeding fiscal year beginning after the fiscal year in which this subsection is enacted.

"(4) The provisions of paragraphs (2) and (3) shall cease to be in effect ten years after the date of enactment of this subsection.".

(c) Section 4 of the Presidential Transition Act of 1963 (3 U.S.C. 102 note) is repealed.

(d) Section 5 of such Act is amended to read as follows:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 5. There are authorized to be appropriated to the Administrator such sums as may be necessary for carrying out the purposes of this Act, except that with respect to any one Presidential transition not more than $2,000,000 may be appropriated for the purposes of providing services and facilities to the President-elect and Vice-President-elect under section 3. The President shall include in the budget transmitted to Congress, for each fiscal year in which the President's regular term of office will expire, a proposed appropriation for carrying out the purposes of this Act.".

TITLE II—PROTECTION OF FORMER PRESIDENTS AND FORMER VICE PRESIDENTS

PROTECTION AUTHORIZED

SEC. 201. (a) On or after the date of enactment of this Act, no Secret Service protection shall be provided to a former President or to the spouse or child of a former President, unless such protection is authorized by subsection (b) or is extended or reinstated by the Secretary of the Treasury or the President in accordance with section 202.

(b)(1) The Secret Service is authorized to protect a former President after the date of enactment of this Act for a period of five years beginning on the date of enactment of this Act or on the date on which an individual becomes a former President, whichever is later, and for such additional periods as the Secretary of the Treasury may authorize under section 202.

(2)(A) Except as provided in paragraphs (3) and (4), the Secret Service is authorized to protect the spouse and each child of a former President after the date of enactment of this Act for a period of two years beginning on the date of enactment of this Act or on the date on which such former President becomes a former President, whichever is later, and for such additional periods as the Secretary of the Treasury may authorize under section 202.

(B) After the expiration of the period described in subparagraph (A), the Secret Service is authorized to protect the spouse and each child of a former President who is receiving protection under paragraph (1) to the extent that such protection is incidental to the protection of the former President, except as provided in paragraph (4).

(3) If, after the date of enactment of this Act, a former President dies before the expiration of the two-year period for which Secret Service protection of the spouse and each child of such former President is authorized under paragraph (2)(A), the Secret Service is authorized to protect such spouse and each such child—

(A) for a period—

(i) of six months after the date on which such former President dies; or

(ii) equal to the amount of time remaining in the two-year period for which such spouse or child would have received protection under paragraph (2)(A) had such former President lived until the end of such two-year period,

whichever is greater; and

(B) for such additional periods as the Secretary of the Treasury may authorize under section 202.

(4) If a former President dies after the expiration of the two-year period during which the spouse and each child of

such former President received Secret Service protection under paragraph (2)(A), the Secret Service is authorized to protect such spouse and each such child of such deceased former President for a period of six months after the date on which such former President dies, and for such additional periods as the Secretary of the Treasury may authorize under section 202.

EXTENSION OR REINSTATEMENT OF PROTECTION

SEC. 202. (a) The Secretary of the Treasury may extend or reinstate Secret Service protection provided under section 201—

(1) in the case of a former President, for one or more one-year periods; and

(2) in the case of a spouse or child of a former President, for one or more six-month periods,

upon a finding that a threat warranting such protection exists to the individual.

(b)(1) No extension or reinstatement of Secret Service protection under subsection (a) for an individual shall become effective—

(A) unless the Secretary of the Treasury submits a notice to the Congress specifying that the Secretary has made the finding described in subsection (a) with respect to such individual; and

(B) until a period of sixty days of continuous session of the Congress after the date on which such notice is submitted has expired.

(2) For purposes of this subsection and subsection (d)(2), continuity of session is broken only by an adjournment sine die, but the days on which either House is not in session because of an adjournment of more than three days to a day certain are excluded.

(c) A former President or the spouse or a child of a former President may request the Secretary of the Treasury to extend or reinstate the Secret Service protection of such former President, spouse, or child in accordance with subsection (a). If the Secretary of the Treasury denies a request under the preceding sentence, the Secretary shall, as soon as practicable, notify the Congress of such denial.

(d) The President is authorized to direct the United States Secret Service to protect a former President or a spouse or child of a former President upon a determination that a threat warrants emergency action. The President shall notify Congress of any such action. Such authorization shall extend for—

(1) a period not in excess of sixty calendar days; or

(2) in the case of the submission by the Secretary of the Treasury of a notice under subsection (b) within

such sixty-day period, a period not in excess of the time required for the expiration of sixty days of continuous session of Congress after the date on which such notice is submitted.

PROTECTION OF FORMER VICE PRESIDENTS

SEC. 203. (a) The Secret Service is authorized to protect a former Vice President if such protection is authorized by the Secretary of the Treasury in accordance with subsection (b).

(b) The Secretary of the Treasury may authorize the provision of Secret Service protection to a former Vice President upon a finding that a threat warranting such protection exists to such former Vice President. The Secretary of the Treasury may authorize the provision of such protection for a period beginning on the date on which the Vice Presidential term of such former Vice President expires and ending on the last day of the fiscal year in which such term expired.

DEFINITIONS

SEC. 204. For purposes of this title—

(1) the term "former President" means an individual—

(A) who has held the office of President of the United States of America;

(B) whose service in such office has terminated other than by removal pursuant to section 4

of article II of the Constitution of the United States of America; and

(C) who does not currently hold such office; and

(2) the term "child" means a child who is under the age of sixteen years.

TECHNICAL AMENDMENT

SEC. 205. Section 3056(a) of title 18, United States Code, is amended—

(1) by striking out paragraph (3) and inserting in lieu thereof the following:

"(3) Former Presidents and their spouses and children, in accordance with title II of the Former Presidents Facilities and Services Reform Act of 1987.";

(2) by striking out paragraph (4);

(3) by redesignating paragraphs (5), (6), and (7) as paragraphs (4), (5), and (6), respectively; and

(4) by striking out "(7)" in the last sentence and inserting in lieu thereof "(6)".

SUMMARY OF FORMER PRESIDENTS ACT OF 1987

Title I: Office Staff and Allowances

O Establishes an original staff allowance of $300,000 a year, which will be reduced over a nine year period to a ceiling of $200,000 a year. The Administrator of the General Services Administration (GSA) is to be the accountable Federal official for supervising the allowance.

O Limits each former President to one office which is to be located in a public building owned or leased by the United States. The office is not to be in excess of 4,000 square feet unless the Administrator determines unusual circumstances exist to warrant more space.

O Prohibits the use of funds for either partisan political activities or income-generating activities. Funds may not be used for the preparation of memoirs or speeches or other media engagements for which the former President is paid.

O Requires each former President to submit a report by March 1 of each year concerning activities carried out with the funds for necessary services and facilities provided under the Act.

O Mandates a 10-year "sunset" provision for the authorization of staff allowances. The automatic termination forces Congress to redetermine what the proper funding should be at least every 10 years.

O Places the pension of a surviving spouse at two-thirds the level of a former President's pension if the former President were alive.

O Authorizes the Administrator of GSA to provide necessary services and facilities to a former Vice President for winding up the affairs of Office.

Title II: Presidential Protection

O Specifies a former President may have automatic, around the clock Secret Service protection for five years instead of for life. The Secretary of Treasury must justify at least annually to the Congress any additional protection needed after the five year period.

O Specifies a spouse and children may have protection for two years after the respective President leaves Office, after

which their protection becomes incidental to protection given to the former President.

O Entitles a surviving spouse, and surviving children to six months of protection after a former President dies, or to the remaining time in the two year period after a President leaves Office, whichever is longer.

O Mandates the Secretary of Treasury to consider any request for protection by a former President, spouse, surviving spouse, children, or surviving children and report to Congress if the request is not acted upon.

O Authorizes the President to direct the Secret Service to protect a former President, spouse, surviving spouse, child, or surviving child upon determining that a threat warrants emergency action. The President shall notify Congress and such authorization shall not extend beyond sixty days, or beyond the time needed for Congressional review once the Secretary of Treasury has submitted a request.

O Limits protection of former Vice Presidents from their last day in office to the end of that fiscal year.

SENATOR **Lawton Chiles** OF FLORIDA

United States Senate • Washington, D.C. 20510 • 202/224-5274

STATEMENT OF

SENATOR LAWTON CHILES

ON

FORMER PRESIDENT'S ACT OF 1988

GOOD AFTERNOON.

SINCE LATE 1979, AND IN EACH OF THE LAST FIVE CONGRESSES, I HAVE INTRODUCED LEGISLATION TO SET SOME LIMITS ON THE BENEFITS FORMER PRESIDENTS RECEIVE.

SEVERAL MEMBERS OF THIS COMMITTEE ARE LONGTIME AND STRONG SUPPORTERS OF THIS EFFORT, NOTABLY SENATORS PRYOR AND ROTH.

THIS CONGRESS, S.1647, THE FORMER PRESIDENTS ACT OF 1988, IS THE LEGISLATIVE VEHICLE WHICH FOCUSES ON THE QUESTION OF WHAT IS THE TAXPAYING PUBLIC'S RESPONSIBILITY TO FORMER PRESIDENTS. THERE ARE SIXTEEN SENATORS COSPONSORING.

I HAVE REFERRED TO THIS NINE-YEAR CAMPAIGN AS AN EFFORT TO END THE ERA OF THE IMPERIAL FORMER PRESIDENCY.

BACK IN 1958 , THE PRESIDENT OF THE UNITED STATES WAS THE ONLY EMPLOYEE OF THE FEDERAL GOVERNMENT NOT COVERED BY A RETIREMENT PROGRAM. WHEN HARRY TRUMAN LEFT OFFICE IN 1953, HE RECEIVED NO PENSION, NO SECRET SERVICE PROTECTION, ANSWERED MAIL WITH HIS OWN PEN, AND PAID FOR THE STAMPS OUT OF HIS POCKET.

NOW, FORMER PRESIDENTS RECEIVE A 99,500 DOLLARS A YEAR ANNUITY, THE SAME AMOUNT AS A CABINET SECRETARY EARNS AS A SALARY.

THEY RECEIVE AN OFFICE ALLOWANCE, STAFF, AND AUTOMATIC, AROUND-THE-CLOCK, SECRET SERVICE PROTECTION FOR LIFE. TAXPAYERS HAVE TAKEN THE RESPONSIBILITY OF OPERATING AND MAINTAINING THEIR PRESIDENTIAL LIBRARIES AS WELL.

CONGRESS CREATED THESE PROGRAMS. THEY CAME ABOUT ONE BY ONE, AND STARTED OUT FOR GOOD PURPOSES. MANY OF OUR PAST PRESIDENTS LEFT OFFICE ONLY TO BECOME POOR. THOMAS JEFFERSON AND ULYSSES GRANT ARE TWO SUCH EXAMPLES.

THE AMERICAN PEOPLE WANT FORMER PRESIDENTS TO LIVE A DIGNIFIED RETIRED LIFE AS ELDER STATESMAN, FREE FROM ANY REAL DANGER, AND FREE FROM ANY NEED TO COMMERCIALIZE--TO HUCKSTER-- THE OFFICE OF THE PRESIDENCY.

BUT THE PROGRAMS WERE LEFT OPEN-ENDED. THINGS HAVE GOTTEN OUT OF HAND. WE HAVE GONE FROM 380,140 DOLLARS IN 1960 TO ABOUT 26 MILLION THIS PAST FISCAL YEAR.

SINCE 1982 IT HAS COST MORE TO FINANCE FORMER PRESIDENTS THAN TO OPERATE THE WHITE HOUSE FOR OUR SITTING PRESIDENT.

MOREOVER, FORMER PRESIDENTS ARE VERY VISIBLE FIGURES. SOME OF THE EXCESSES, LIKE THE LARGE NUMBER OF SECRET SERVICEMEN THAT TRAVEL WITH THEM, DO NOT SIT WELL WITH THE AMERICAN PUBLIC. SUCH SYMBOLS CONNOTE INAPPROPRIATE TRAPPINGS OF OFFICE.

WE HAVE MADE PROGRESS IN ESTABLISHING REASONABLE CONTROLS AND LIMITS ON THE FORMER PRESIDENT PROGRAMS. LAST CONGRESS A NEW PRESIDENTIAL LIBRARIES ACT BECAME LAW. PRESIDENT REAGAN WAS GRANDFATHERED UNDER THE OLD LAW, BUT FUTURE PRESIDENTIAL LIBRARIES WILL REQUIRE PRIVATELY FINANCED ENDOWMENTS AND SPACE LIMITATIONS.

LET ME SAY, MY HOPE IS THE REAGAN LIBRARY PROPOSAL, WHICH SHOULD BE FORTHCOMING IN THE NEAR FUTURE, WILL SET A PRECEDENT AND VOLUNTARILY FOLLOW THE SPIRIT OF THE NEW LAW.

SECONDLY, THE BILL BEFORE US TODAY IS IDENTICAL TO ONE PASSED BY THE SENATE UNANIMOUSLY LAST CONGRESS. OFFICE STAFF AND ALLOWANCES AND SECRET SERVICE PROTECTION ARE THE

REMAINING SUBJECTS FOR BOTH THE HOUSE AND SENATE THIS CONGRESS.

TO ME, THE LETTERS I RECEIVED FROM PRESIDENTS CARTER AND FORD ALSO DEMONSTRATE PROGRESS. PRESIDENT FORD ENDORSES THE LEGISLATION. PRESIDENT CARTER INDICATES SUPPORT AND WILLINGNESS TO LOOK AT THE QUESTION OF SECURITY. HE SUGGESTS THE PRESENT LEVEL OF PROTECTION CAN BE REDUCED, BUT DOES NOT FAVOR ELIMINATION. HIS MAJOR CONCERN IS PRIVACY.

PRESIDENT NIXON, THE OTHER FORMER PRESIDENT, GAVE UP HIS SECRET SERVICE PROTECTION TWO YEARS AGO. I BELIEVE HIS DECISION IS PROOF POSITIVE THAT AFTER TIME, THE DANGER TO FORMER PRESIDENTS GREATLY DIMINISHES. SECRET SERVICE PROTECTION CAN BE RELINQUISHED.

FOR THESE REASONS, I AM OPTIMISTIC THE FORMER PRESIDENT'S BILL WILL BECOME LAW THIS CONGRESS.

THE PURPOSE OF OUR HEARING TODAY IS TO UPDATE THE RECORD, TAKE THE ADMINISTRATION'S PRESENT PULSE ON THE BILL, AND HEAR FROM MIKE ENDICOTT, OUR LEAD WITNESS.

MR. ENDICOTT IS A UNIQUE AND EXPERT WITNESS ON THE QUESTION OF SECURITY FOR FORMER PRESIDENTS. HE CAN TELL US WHAT LIFE WITHOUT SECRET SERVICE PROTECTION IS ALL ABOUT. I FELT IT WAS IMPORTANT THAT THE COMMITTEE HEAR HIS VIEWS.

MR. WRIGHT AND MR. HILSCHER WILL FOLLOW AND SPEAK FOR THE ADMINISTRATION. MR. FINCH WILL PROVIDE US WITH THE GENERAL ACCOUNTING OFFICE'S UPDATE.

I LOOK FORWARD TO THE TESTIMONY.

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

STATEMENT
of
JOSEPH R. WRIGHT, JR.
DEPUTY DIRECTOR
of the
OFFICE OF MANAGEMENT AND BUDGET
before the
COMMITTEE ON GOVERNMENTAL AFFAIRS,
SUBCOMMITTEE ON FEDERAL SPENDING,
BUDGET AND ACCOUNTING
UNITED STATES SENATE
MARCH 3, 1988

Mr. Chairman and Members of the Committee: I am pleased to be here to discuss S. 1647, the Former Presidents Act of 1987.

Although the Administration understands and supports the intent of up-dating the laws affecting the former Presidents, we have concerns about several of the proposals in this bill. I would like to direct my comments to five major changes proposed in this bill: (1) increasing spousal pensions; (2) limiting former Presidents' office and administrative support; (3) creating reporting requirements by former Presidents; (4) providing funds for transition expenses; and (5) limiting Secret Service protection.

The Administration supports the need to increase the spousal pension. The law currently provides only $20,000 per year, and has been at that level for 18 years, since 1971. We do not believe $20,000 per year is adequate, but we defer to the Committee on what would be an appropriate pension for a former President's spouse.

With respect to the provisions limiting the former President's office and administrative support, we do not support these changes. Establishing, in law, fixed funding levels creates a situation where inflation immediately begins to erode the buying power of the funds provided. Eventually we will have to revise this legislation to increase the funding levels to be comparable to the original levels.

For example, in 1970 the current former President's statute established a limit of $96,000 per year on the funds that could be spent by a former President on personnel costs. That $96,000 in 1970 has the buying power of only $33,000 in 1988. To say it another way, in order to provide the same level of funding today, as was envisioned in 1970, the former Presidents would need to be given $282,000 per year for personnel costs alone.

To correct the problem of inflation, we recommend that the existing law be changed to eliminate statutory limits on spending. We believe each former President should be allowed to request a level of funding which he or she believes is necessary to carry out the responsibilities of a former President. The requests will vary by President, depending on how active the former President plans to be and how long he or she has served as President. For example, we believe that a President who has served for eight years will likely have to respond to far more inquiries, and attend more ceremonies than a President that has served for a shorter period. President Reagan will have twice as many archival and museum records than President Carter (i.e., 51,000 cubic feet of records versus 22,056 cubic feet).

Therefore, the level of funding for each President should vary, depending upon his or her circumstances. Congress, of course, would have the opportunity to review annually the budget requests of each former President to ensure that they are fully justified.

If, however, the Committee decides that statutory funding limits are necessary, we believe the level adopted must be indexed for inflation and that the levels contained in the bill ($300,000 per year declining to $200,000 per year) are too low. The 1989 Budget requests between $285,000 and $320,000 for each former President for office and administrative expenses, not including the President's pension. These requests include only $96,000 for personnel compensation. If the Committee revises the funding limits to be consistent with the 1970 levels, the total requests should be raised to over $500,000.

As for limiting office space, because of the widely varying cost of space around the country, limiting square footage does not by itself control costs. Again, we believe each former President should submit an annual funding request to support his office space needs.

The bill would require each former President to prepare an annual report on the expenditure of former Presidents funds and submit the report to the Congress by March 1. We believe this information should be gathered by the General Services Administration and submitted as one report. If each President submits individual reports, the formats and detail of the reports will vary, rendering the information of little value from a comparative perspective. GSA is responsible for distributing these funds, and is in a better position to collect the needed information and prepare a report that will be useful to the Congress, than the individual former Presidents.

As for the proposed restrictions on the use of the office and administrative support funds for partisan political or income generating activities, although we are unaware of any abuse by a former President, we do not oppose this provision.

The proposed bill also would provide $2 million for the transition costs of the incoming President and Vice-President and $1 million for the transition costs and office and administrative benefits of the former President and former Vice-President for the fiscal year they leave office, consistent with current law. The Administration has testified in support of increasing the funding for both the incoming and outgoing Presidents' transitions in connection with S. 2037, the Presidential Transitions Effectiveness Act. Therefore, we do not believe this provision should be included in this bill.

As for the Secret Service provisions, we oppose cutting back the services provided to former Presidents and their families. The proposed changes in Secret Service protection would provide some savings, but are more than outweighed by the potential increase in danger to Secret Service protectees.

Mr. Chairman and Members of the Committee: that completes my prepared statement. I shall be happy to address any questions you might have.

JOHN GLENN, OHIO, CHAIRMAN
LAWTON CHILES, FLORIDA
SAM NUNN, GEORGIA
CARL LEVIN, MICHIGAN
JIM SASSER, TENNESSEE
DAVID PRYOR, ARKANSAS
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WILLIAM S. COHEN, MAINE
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PAUL S. TRIBLE, JR., VIRGINIA
LEONARD WEISS, STAFF DIRECTOR
JO ANNE GARNHART, MINORITY STAFF DIRECTOR

United States Senate
COMMITTEE ON
GOVERNMENTAL AFFAIRS
SUBCOMMITTEE ON
FEDERAL SERVICES, POST OFFICE, AND
CIVIL SERVICE
WASHINGTON, DC 20510-6250

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EDWARD J. GLEIMAN, STAFF DIRECTOR

January 14, 1988

The President
The White House
Washington, D.C.

Dear Mr. President:

It has been almost two years since you signed the Presidential Libraries Act of 1986, a law designed to limit the burden on the taxpayer of the growing cost of operating the Nation's presidential libraries. As currently written, the law requires that cost-saving features be incorporated into the design of presidential libraries; and, that, for future presidents, any privately financed facility donated to the government to be used as a presidential library be accompanied by an endowment to cover the cost of operating and maintaining that facility. I am writing today to request that you direct the Reagan Library Foundation to comply voluntarily with the endowment provision of the 1986 Act.

The 1986 Act represents an attempt by the Congress to reestablish the balance between public and private support of the Presidential Library System envisioned by the architects of the original 1955 Act. Libraries, built with private funds, would be donated to and operated by the government. At the end of one hundred years, it was thought, there would be fifteen libraries that would cost $1.5 million per year to operate. After only thirty years, however, there are already eight libraries operating at a cost to the taxpayer of approximately $15 million per year. Much of the unanticipated cost is a result of the ever-increasing grandeur of and the inclusion of museums in those facilities.

Rather than limit the creativity and initiative of those wishing to participate in the establishment of a presidential library, the architects of the 1986 amendments chose to limit future libraries only insofar as its supporters were willing to raise additional funds to establish an endowment to cover

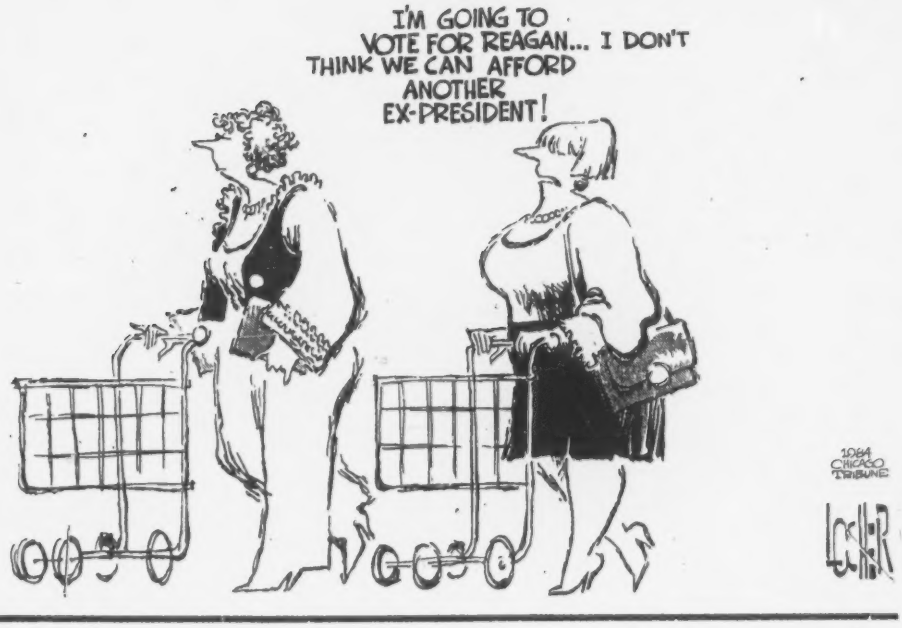
at least a share of the ongoing operating costs of the facility. Your library was, as you know, exempt from this provision at the insistence of your aides, who felt it was inappropriate to change the rules as they might relate to an incumbent President. The Congress agreed, in the interest of getting a modification on the books that would, in the very least, result in out-year savings.

Nevertheless, Mr. President, the opportunity now exists for your library to serve not only as a depository for the documentary legacy of your years as President but also as a living legacy of your support of private sector initiatives and volunteerism as a means of reducing federal government spending. Establishment of an endowment to accompany the donation to the government of the Reagan Presidential Library is likely to save taxpayers in excess of $1 million each and every year. Clearly, voluntary compliance with the endowment provision would be a fitting act.

In the same spirit, I am sending letters to all of the foundations which are currently operating presidential libraries across the country asking that they also comply with the 1986 Act.

Respectfully yours,

David Pryor



OCTOBER 4, 1984

GAO

United States General Accounting Office
Fact Sheet for the Chairman, Subcommittee on Federal Spending, Budget, and Accounting, Committee on Governmental Affairs
United States Senate

March 1988

FORMER PRESIDENTS

Support Costs and Other Information

GAO/GGD-88-57FS

Printed copies of this document will be available shortly.

GAO United States
General Accounting Office
Washington D.C. 20548

General Government Division

B-198733
March 3, 1988

The Honorable Lawton Chiles
Chairman, Subcommittee on Federal
Spending, Budget, and Accounting
Committee on Governmental Affairs
United States Senate

Dear Mr. Chairman:

This fact sheet provides information you requested including an update on statistical information contained in an earlier report[1] on the costs associated with certain benefits and services provided to former presidents and their dependents. You also asked us to provide information on the use of the residence for former presidents located in Washington, D.C., and the number of sites which are controlled by the Department of the Interior's National Park Service that are associated with former presidents.

Tables I.1 through I.7 in appendix I identify the costs associated with the benefits and services provided to former presidents and their dependents during fiscal years 1977 through 1987. These costs were funded through the Former Presidents Act and Secret Service protection legislation. Appendix II discusses the residence located at 716 Jackson Place, N.W., Washington, D.C., which is available for use by former presidents. Appendix III identifies the number of sites associated with former presidents that are controlled by the National Park Service.

We obtained the information requested from officials at the General Services Administration, the Secret Service and the National Park Service. As agreed with the Subcommittee, we did not attempt to verify the information.

As arranged with the Subcommittee, we are sending copies of this fact sheet to the Senate Committee on Governmental Affairs; Senate Committee on Energy and Natural Resources; House Committee on Appropriations; House Committee on Government Operations; House Committee on Interior and Insular Affairs; Director, Office of Management and Budget; Administrator of General Services; Secretary of the Treasury; Director, United States Secret Service; and the Archivist of the United States. Copies will also be made available to other interested parties upon request.

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[1]Costs Associated With Former Presidents and Their Dependents, (GAO/GGD-85-68, September 26, 1985).

B-198733

We trust this information is responsive to your needs. If we can be of further assistance, please call me on 275-8387.

Sincerely yours,

Gene L. Dodaro
Associate Director

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ABBREVIATIONS

GSA	General Services Administration

COSTS ASSOCIATED WITH FORMER PRESIDENTS AND THEIR DEPENDENTS

This appendix provides the updated financial information and other information that you requested.

Table I.1: Costs Associated With Former Presidents Fiscal Years 1977-1987[a]

Fiscal year	Former Presidents Act	Secret Service protection	Total
1977	$ 378,749	$ 5,576,349	$5,955,098
1978	651,965	7,936,728	8,588,693
1979	720,659	9,072,373	9,793,032
1980	739,795	7,563,432	8,303,227
1981	718,325	9,741,663	10,459,988
1982	1,024,405	11,750,238	12,774,643
1983	1,028,820	10,941,419	11,970,239
1984	1,075,176	10,547,659	11,622,835
1985	1,103,933	11,416,329	12,520,262
1986	1,036,729	8,359,615	9,396,344
1987	1,055,273	9,265,491	10,320,764
Total	$ 9,533,829	$ 102,171,296	$ 111,705,125

[a]Excludes costs incurred under the Presidential Transition Act of 1963 and the Presidential Libraries Act.

Table I.2: Amounts Obligated Under the Former Presidents Act Fiscal Years 1977-1987

Fiscal year	Former Presidents	Widows	Total
1977	$316,168	$ 62,581	$ 378,749
1978	590,002	61,963	651,965
1979	660,659	60,000	720,659
1980	693,394	46,401	739,795
1981	676,125	42,200	718,325
1982	979,405	45,000	1,024,405
1983	1,006,420	22,400	1,028,820
1984	1,052,276	22,900	1,075,176
1985	1,080,933[a]	23,000	1,103,933
1986	1,012,604[b]	24,125	1,036,729
1987	1,034,273[c]	21,000	1,055,273
Total	$ 9,102,259	$ 431,570	$ 9,533,829

[a]Includes Jackson Place rental cost of $62,913.

[b]Includes Jackson Place rental cost of $63,627.

[c]Includes Jackson Place rental cost of $53,821.

Table I.3: Amounts Obligated Under the Former Presidents Act by Former Presidents Fiscal Years 1977-1987

Fiscal year	President Nixon	President Ford	President Carter	Total
1977	$215,923	$100,245	0	$316,168
1978	229,323	360,679	0	590,002
1979	282,990	377,707	0	660,697
1980	318,213	375,181	0	693,394
1981	300,418	323,390	52,317	676,125
1982	311,313	296,188	371,904	979,405
1983	291,868	331,184	383,368	1,006,420
1984	327,965	360,807	363,504	1,052,276
1985	317,469	360,995	339,556	1,018,020
1986	307,679	328,267	313,031	948,977
1987	360,990	343,182	276,280	980,452
Total	$3,264,151	$3,557,825	$2,099,960	$8,921,936

Table I.4: Amounts Obligated Under the Former Presidents Act by Former Presidents' Widows Fiscal Years 1977-1987

Fiscal year	Mrs. Johnson	Mrs. Truman	Mrs. Eisenhower	Widows' postage	Total
1977	$20,000	$20,000	$20,000	$2,581	$62,581
1978	20,000	20,000	20,000	1,963	61,963
1979	20,000	20,000	20,000	0	60,000
1980	20,000	20,000	2,000	4,401	46,401
1981	20,000	20,000	0	2,200	42,200
1982	20,000	20,000	0	5,000	45,000
1983	20,000	0	0	2,400	22,400
1984	20,000	0	0	2,900	22,900
1985	20,000	0	0	3,000	23,000
1986	20,000	0	0	4,125	24,125
1987	20,000	0	0	1,000	21,000
Total	$220,000	$120,000	$62,000	$29,570	$431,570

Table I.5: Cost Under the Former Presidents Act by Cost Category by Former Presidents and Widow Fiscal Year 1987

	Nixon	Ford	Carter	Mrs. Johnson
Pensions	$ 94,838	$ 94,838	$ 94,838	$ 20,000
Office staff				
Personnel compensation	$ 86,770	$ 91,903	$ 59,662	0
Personnel benefits	14,050	15,791	10,863	0
Total	$100,820	$107,694	$ 70,525	0
Office				
Office rent	$103,377	$ 59,099	$ 69,600	0
Motor pool	0	0	4,187	0
Transportation of things	506	0	0	0
Equipment rental/ depreciation	2,760	0	0	0
Telephone	33,568	40,236	19,024	0
Printing	1,160	0	4,864	0
Other services	194	6,089	4,278	0
Supplies and materials	3,968	6,552	1,985	0
Equipment	3,394	2,375	2,748	0
Total	$148,927	$114,351	$106,686	0
Travel	$ 14,105	$ 21,977	$ 0	0
Postal	$ 2,300	$ 4,322	$ 4,231	$ 1,000
Total	$360,990	$343,182	$276,280	$21,000

Table I.6: Cost Under the Former Presidents Act by Cost Category by Former Presidents and Widow Fiscal Year 1986

	Nixon	Ford	Carter	Mrs. Johnson
Pensions	$ 86,200	$ 86,200	$ 86,200	$ 20,000
Office staff				
Personnel compensation	$ 85,378	$ 94,673	$ 95,693	0
Personnel benefits	10,599	13,283	14,748	0
Total	$ 95,977	$107,956	$110,441	0
Office				
Office rent	$ 67,281	$ 56,264	$ 56,398	0
Motor pool	0	0	4,117	0
Transportation of things	882	0	0	0
Equipment rental/ depreciation	2,760	0	0	0
Telephone	32,325	36,077	23,157	0
Printing	1,297	0	2,891	0
Other services	306	5,279	8,252	0
Supplies and materials	5,054	6,626	1,336	0
Equipment	3,501	0	5,047	0
Total	$113,406	$104,246	$101,198	0
Travel	$ 8,405	$ 14,740	$ 16	0
Postal	$ 3,691	$ 15,125	$ 15,176	$ 4,125
Total	$307,679	$328,267	$313,031	$24,125

Table I.7: Cost Under the Former Presidents Act by Cost Category by Former Presidents and Widow Fiscal Year 1985

	Nixon	Ford	Carter	Mrs. Johnson
Pensions	$ 85,475	$ 85,475	$ 85,475	$ 20,000
Office staff				
Personnel compensation	$ 88,336	$ 95,985	$ 88,935	0
Personnel benefits	13,239	16,224	13,573	0
Total	$101,575	$112,209	$102,508	0
Office				
Office rent	$ 72,854	$ 55,634	$ 68,686	0
Motor pool	0	0	2,686	0
Transportation of things	1,890	138	0	0
Equipment rental/ depreciation	2,237	876	0	0
Telephone	23,924	55,102	24,031	0
Printing	1,190	143	6,380	0
Other services	104	3,791	12,569	0
Supplies and materials	5,661	8,167	3,254	0
Equipment	158	0	21,992	0
Total	$108,018	$123,851	$139,598	0
Travel	$ 15,211	$ 28,460	$ 904	0
Postal	$ 7,190	$ 11,000	$ 11,071	3,000
Total	$317,469	$360,995	$339,556	$23,000

Table I.8: Former Presidents, Wives, Widows, and Minor Children Protected by the U.S Secret Service Fiscal Years 1977-1987

FY 1977	FY 1978	FY 1979
Mrs. Truman	Mrs. Truman	Mrs. Truman
Mrs. Eisenhower	Mrs. Eisenhower	Mrs. Eisenhower
John Kennedy, Jr.	Mrs. Johnson	Mrs. Johnson
Mrs. Johnson	Former Pres. Nixon	Former Pres. Nixon
Former Pres. Nixon	Mrs. Nixon	Mrs. Nixon
Mrs. Nixon	Former Pres. Ford	Former Pres. Ford
Former Pres. Ford	Mrs. Ford	Mrs. Ford
Mrs. Ford		
Susan Ford		

FY 1980	FY 1981	FY 1982
Mrs. Truman	Mrs. Truman	Mrs. Truman
Mrs. Eisenhower	Mrs. Johnson	Mrs. Johnson
Mrs. Johnson	Former Pres. Nixon	Former Pres. Nixon
Former Pres. Nixon	Mrs. Nixon	Mrs. Nixon
Mrs. Nixon	Former Pres. Ford	Former Pres. Ford
Former Pres. Ford	Mrs. Ford	Mrs. Ford
Mrs. Ford	Former Pres. Carter	Former Pres. Carter
	Mrs. Carter	Mrs. Carter
	Amy Carter	Amy Carter

FY 1983	FY 1984	FY 1985
Mrs. Truman	Mrs. Johnson	Mrs. Johnson
Mrs. Johnson	Former Pres. Nixon	Former Pres. Nixon[a]
Former Pres. Nixon	Mrs. Nixon	Mrs. Nixon[a]
Mrs. Nixon	Former Pres. Ford	Former Pres. Ford
Former Pres. Ford	Mrs. Ford	Mrs. Ford
Mrs. Ford	Former Pres. Carter	Former Pres. Carter
Former Pres. Carter	Mrs. Carter	Mrs. Carter
Mrs. Carter		
Amy Carter		

FY 1986	FY 1987
Mrs. Johnson	Mrs. Johnson
Former Pres. Ford	Former Pres. Ford
Mrs. Ford	Mrs. Ford
Former Pres. Carter	Former Pres. Carter
Mrs. Carter	Mrs. Carter

[a]Protection ended on July 31, 1985, at the request of Former President Nixon.

RESIDENCE OF FORMER PRESIDENTS

In 1969, a historic Victorian townhouse at 716 Jackson Place, N.W., Washington, D.C., was set aside for exclusive use by former presidents when visiting the nation's capital. The townhouse has approximately 2,240 square feet and is located about one block from the White House. Built in the late 1860s, it was acquired by the federal government in 1957. It has conference and dining facilities, an office area, and a small kitchenette on the first floor, and living and sleeping areas on the upper two floors.

Since fiscal year 1980, this townhouse has been used by former presidents for a total of 57 days. Former President Nixon has not used it; former President Ford has used it for 40 days, 13 during fiscal year 1987; and former President Carter has used it 17 days, 2 during fiscal year 1987.

Fiscal year 1984 was the first year that the user charge (rent) was charged to the former presidents' appropriation. Before fiscal year 1984, no charge was collected. General Services Administration (GSA) regulations require that a standard level user charge which approximates a commercial charge for comparable space and services be charged for space and related services provided by GSA. Under the regulations, GSA's Administrator may exempt the charge when it is deemed infeasible or impracticable to charge for the space. Before fiscal year 1981, the Administrator exempted the Jackson Place residence from the user charge.

In 1981, as a result of congressional interest, the exemption was ended and the White House was billed for the space. GSA elected to bill the White House because the space was only available to former presidents. White House officials appealed the decision, and in 1982 GSA agreed to absorb the charge in its former presidents account. Rental charges for fiscal years 1985, 1986, and 1987 are listed in table I.2. GSA budgeted $63,300 for rental charges on Jackson Place for fiscal year 1988.

In anticipation of possible reductions in the GSA budget for fiscal year 1988, GSA officials contacted each of the former presidents and asked if they would be willing to permanently relinquish Jackson Place as one of their standard benefits. A GSA official said each former president would be amenable to this idea. We contacted representatives of former Presidents Nixon and Ford and confirmed this statement. We could not contact members of former President Carter's office staff to discuss this

matter.

For fiscal year 1988, Congress eliminated from GSA's budget funding for rental payments for Jackson Place. According to a Senate Appropriations Committee's report (Report No. 100-160) which accompanied the appropriations bill (H.R. 2907), funding was eliminated because the property was used infrequently. According to a GSA official, GSA is awaiting guidance from the Office of Management and Budget before it reassigns the property.

SECRET SERVICE

A Secret Service official said that from a security standpoint, the existence of a permanent residence in Washington, D.C., for use by former presidents is neither an advantage nor a disadvantage, and does not affect the Service's protection costs.

 APPENDIX III

Number of Sites Controlled by the National Park Service Associated with Former Presidents

President	NPS sites	President	NPS Sites
Washington, George	12	Garfield, James	4
Adams, John	1	Arthur, Chester	0
Jefferson, Thomas	2	Cleveland, Grover	0
Madison, James	0	Harrison, Benjamin	1
Monroe, James	2	McKinley, William	1
Adams, John Quincy	1	Roosevelt, Theodore	6
Jackson, Andrew	3	Taft, William Howard	1
Van Buren, Martin	1	Wilson, Woodrow	0
Harrison, William Henry	0	Harding, Warren G.	0
Tyler, John	0	Coolidge, Calvin	0
Polk, James K.	0	Hoover, Herbert	2
Taylor, Zachary	2	Roosevelt, Franklin D.	4
Fillmore, Millard	0	Truman, Harry S.	0
Pierce, Franklin	0	Eisenhower, Dwight D.	1
Buchanan, James	1	Kennedy, John F.	2
Lincoln, Abraham	8	Johnson, Lyndon B.	2
Johnson, Andrew	1	Nixon, Richard M.	1
Grant, Ulysses S.	11	Ford, Gerald R.	1
Hayes, Rutherford B.	0	Carter, Jimmy	0
Total	45[a]	Total	26[a]

[a]Excludes the following six sites associated with more than one former president: Pennsylvania Avenue National Historic Site, Washington, D.C.; The White House, Washington, D.C.; Camp David, MD; Federal Hall National Memorial, NY; Independence Hall National Historic Park, PA; and Mount Rushmore National Memorial, SD.

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COST OF FORMER PRESIDENTS TO U. S. TAXPAYERS

Fiscal Year	Libraries	Office Allowances	Secret Service Protection	Total.
1955	$63,745			$63,745
1956	$64,853			$64,853
1957	$74,836			$74,836
1958	$142,536			$142,536
1959	$168,057	$160,000		$328,057
1960	$180,140	$200,000		$380,140
1961	$219,223	$250,000		$469,223
1962	$294,297	$300,000		$594,297
1963	$325,520	$310,000		$635,520
1964	$380,251	$300,000	$49,507	$729,758
1965	$559,485	$310,000	$100,790	$970,275
1966	$611,966	$235,000	$289,022	$1,135,988
1967	$613,745	$235,000	$346,633	$1,195,378
1968	$676,000	$251,000	$390,298	
Truman Library addition	$312,000			$1,629,298
1969	$1,406,808	$253,000	$527,552	
Hoover Library addition	$1,074,000			$3,261,360
1970	$1,980,855	$335,000	$727,617	$3,043,472
1971	$2,252,289	$343,000	$1,002,355	
Eisenhower Library addtn.	$1,610,000			$5,207,644
1972	$2,513,559	$418,000	$1,275,120	
Roosevelt Library addtn.	$882,000			$5,088,679
1973	$2,722,116	$408,000	$1,241,117	$4,371,233
1974	$2,863,457	$60,000	$979,789	$3,903,246
1975	$4,542,447	$160,000	$1,530,144	$6,232,591
1976	$6,409,380	$364,168	$2,294,887	$9,068,435
1977	$6,297,611	$390,000	$4,679,489	$11,367,100
1978	$7,230,486	$671,000	$6,252,190	$14,153,676
1979	$7,523,783	$771,000	$7,187,582	
Truman Library addition	$2,667,000			$18,149,365
1980	$10,171,000	$740,394	$7,563,432	$18,474,826
1981	$12,295,000	$718,325	$9,741,663	$22,754,988
1982	$11,532,000	$1,025,000	$11,750,238	$24,307,238
1983	$12,972,000	$1,029,000	$10,941,419	$24,942,419
1984	$14,350,000	$1,068,000	$10,741,124	$26,159,124
1985	$14,636,000	$1,151,000	$11,416,329	$27,203,329
1986	$14,845,000	$1,065,000	$8,359,615	$24,269,615
1987	$15,537,000	$1,177,000	$9,265,491	$25,979,491
1988 (estimated)	$16,293,000	$1,198,000	$8,058,648	$25,549,648
Kennedy Library addition	$4,582,000			$30,131,648

ALLOWANCES FOR FORMER PRESIDENTS
FY 1987

	NIXON	FORD	CARTER	JACKSON PLACE	WIDOWS	TOTAL
PERSONNEL COMPENSATION	$86,770	$91,903	$59,662	$0	$0	$238,335
PERSONNEL BENEFITS	14,050	15,791	10,863	0	0	40,704
BENEFITS FOR FORMER PERSONNEL:						
PENSIONS	94,800	94,800	94,800	0	20,000	304,400
UNEMPLOYMENT COMPENSATION	0	0	0	0	0	0
TRAVEL	14,105	21,977	0	0	0	36,082
MOTOR POOL	0	0	4,187	0	0	4,187
TRANS. OF THINGS	506	0	0	0	0	506
COMMUNICATIONS, UTILITIES & MISC. CHARGES:						
EQUIPMENT RENTAL/DEPRECIATION	2,760	0	0	0	0	2,760
TELEPHONE	33,560	40,236	19,026	0	0	92,830
POSTAGE	2,300	4,322	4,233	0	1,000	11,855
RENT	103,378	59,099	69,600	53,821	0	285,898
PRINTING	1,160	0	4,864	0	0	6,024
OTHER SERVICES	194	6,089	4,278	0	0	10,561
SUPPLIES & M MATERIALS	3,967	6,552	1,985	0	0	12,504
EQUIPMENT	3,394	2,375	2,748	0	0	8,517
TOTAL APPROPRIATION	$360,952	$343,144	$276,246	$53,821	$21,000	$1,055,163

ALLOWANCES FOR FORMER PRESIDENTS
FY 1988

	NIXON	FORD	CARTER	JACKSON PLACE	WIDOWS	TOTAL
PERSONNEL COMPENSATION	$96,000	$93,100	$96,000	$0	$0	$285,100
PERSONNEL BENEFITS	22,000	19,000	21,000	0	0	62,000
BENEFITS FOR FORMER PERSONNEL:						
PENSIONS	99,500	99,500	99,500	0	20,000	318,500
UNEMPLOYMENT COMPENSATION	0	0	0	0	0	0
TRAVEL	18,000	40,500	25,500	0	0	84,000
MOTOR POOL	0	1,500	6,500	0	0	8,000
TRANS. OF THINGS	1,600	2,000	2,000	0	0	5,600
COMMUNICATIONS, UTILITIES & MISC. CHARGES:						
EQUIPMENT RENTAL/DEPRECIATION	4,000	1,000	4,000	0	0	9,000
TELEPHONE	21,000	32,200	23,000	0	0	76,200
POSTAGE	4,000	4,000	6,800	0	1,000	15,800
RENT	123,600	69,500	76,700	0	0	269,800
PRINTING	2,300	2,700	4,000	0	0	9,000
OTHER SERVICES	2,500	5,000	5,000	0	0	12,500
SUPPLIES & M MATERIALS	8,500	9,000	10,000	0	0	27,500
EQUIPMENT	4,000	4,000	7,000	0	0	15,000
TOTAL APPROPRIATION	$407,000	$383,000	$387,000	$0	$21,000	$1,198,000

ALLOWANCES FOR FORMER PRESIDENTS
FY 1989

	NIXON	FORD	CARTER	REAGAN	JACKSON PLACE	WIDOWS	TOTAL
PERSONNEL COMPENSATION	$96,000	$93,100	$96,000	$30,000	$0	$0	$315,100
PERSONNEL BENEFITS	23,300	22,700	22,400	8,600	0	0	$77,000
BENEFITS FOR FORMER PERSONNEL:							
PENSIONS	99,500	99,500	99,500	69,000	0	20,000	387,500
UNEMPLOYMENT COMPENSATION			0	0	0	0	0
TRAVEL	19,000	40,500	10,000	14,500	0	0	$84,000
MOTOR POOL	0	2,000	6,000	2,000	0	0	$10,000
TRANS. OF THINGS	2,000	2,000	2,000	2,000	0	0	$8,000
COMMUNICATIONS, UTILITIES & MISC. CHARGES:							
EQUIPMENT RENTAL/DEPRECIATION	5,000	2,000	5,000	3,000	0	0	$15,000
TELEPHONE	24,300	54,200	31,000	9,500	0	0	$119,000
POSTAGE	4,000	8,000	8,000	7,800	0	2,200	$30,000
RENT	128,900	72,400	78,000	21,000	0	0	$300,300
PRINTING	2,600	2,800	3,100	2,500	0	0	$11,000
OTHER SERVICES	4,000	6,900	9,200	3,000	0	0	$23,100
SUPPLIES & M MATERIALS	9,300	9,500	11,200	5,000	0	0	$35,000
EQUIPMENT	4,000	4,000	4,000	4,000	0	0	$16,000
TOTAL APPROPRIATION	$421,900	$419,600	$385,400	$181,900	$0	$22,200	$1,431,000

GERALD R. FORD

January 6, 1988

Dear Mr. Chairman:

I write pursuant to my agreement with you to submit my views on S.1647.

Overall, I endorse the proposed legislation, but submit several observations and constructive suggestions.

Section 102 refers to Office and Staff for Former Presidents. The annual funding is adequate. Each year my office has used less funds that the amount appropriated by the Congress. However, the funds could be better or more economically used if there was more account flexibility.

Mrs. Ford and I substantially supplement annual office staff costs (employee compensation, telephone, space rental, supplies, etc.) so that the federal government is not obligated for personal expenses not related to being a former President. I fully agree with the requirement that a former President submit an annual report by March 1st, setting forth compliance with the proposed legislation.

The Title II provisions, Protection of Former Presidents, are appropriate. I endorse enactment.

Section 101, Spousal Pensions, is more appropriate than current law and should be enacted.

If you or the Committee Staff desire that I amplify my comments, I will be pleased to do so.

Best regards,

Gerald R. Ford

The Honorable Lawton Chiles
Chairman, Committee on Appropriations
United States Senate
Washington, D.C. 20510

JIMMY CARTER

October 14, 1987

To Senator Lawton Chiles

We have recently received at our Center some information from Robert Coakley, of your professional staff, concerning legislative proposals relating to former presidents. Although I have previously refrained from commenting on this subject, it may be helpful to you and other members of your committee to have my own reaction to your comments.

I fully agree with you that we do not need any "imperial" former presidents. As you might agree, it was my often expressed view that even imperial presidents are not compatible with my concepts of the government of our republic. Anything you and the Congress can do to correct fiscal waste or abuse of privilege would certainly have my approval.

In fairness, however, it would be well to point out that a substantial portion of the costs that you so frequently attribute to us former presidents is due to the expenses of operating the presidential libraries that have been built in accordance with legislation passed by the Congress in the late 1950s. As President Ford would certainly agree, raising private contributions to construct libraries to house the records of our administrations is one of the worst responsibilities of our political lives. Under the best of conditions it is difficult for most Democrats to secure substantial contributions. For one, like me, who was defeated for reelection and who has no ambitions for further public office, it was especially difficult. After five years of almost constant effort, I was successful in this task, and about a year ago delivered to the U.S. government this completed facility. It is relatively modest in dimension and cost compared to others recently built, and was designed so as to minimize continuing operating costs. This could be considered a terrible chore, not a self-gratifying experience. In any case, I have no objection to any reasonable reduction in the expenses of presidential libraries, either already built or to be constructed in the future.

As the only living Democratic president, I receive a lot of mail from American citizens and from those of other nations, approximately 40,000 letters annually. We use mostly volunteers to handle in proper fashion these inquiries, invitations, and requests for assistance. The office expense account allocated for this purpose is obviously inadequate, and Rosalynn and I already contribute from our own personal funds an appreciable portion of these unavoidable expenses. However, in order to prevent any increase in budget expenditures, I would not be in favor of an increase in government funds for this purpose.

There is one aspect of your proposed legislation, however, that causes me grave concern. The elimination of security would make it almost impossible for us to live a normal private life at home free of uninvited visitors, to attend major events if our attendance is publicized, or to travel to many places in our country or abroad. There is no doubt that Presidents Ford and Nixon and former Secretary of State Kissinger would agree that some continued security is necessary. I do not know about them, but there are fairly frequent occasions when people come to Plains who have threatened bodily harm to me or my family. There were three incidents of this sort just within the last month. In one case the visitor shattered the large glass reflector mirrors and tried to destroy the gate leading to our driveway. If requested to do so, the Secret Service can give your committee more information about these potential threats to me or others. There is no way to anticipate when one of them could be serious. To finance one's own security force, however modest, is a very expensive matter, though some of our former high-level officials have chosen to do so.

When I left office I decided to forego involvement in commercial activities and, instead, to teach, write, and give an occasional lecture, usually at the smaller colleges of our nation. Following the November 1980 election, I discovered from my financial trustee that we were heavily in debt. We sold our business and supplemented the proceeds with some advance payments from my memoirs to settle these outstanding accounts. I made sure, by the way, that we more than covered from private funds any costs involved in the writing of the memoirs. With Rosalynn's income we have a comfortable living, but not enough to pay for security.

As you may know, our government provides security for all prominent foreign visitors, even those from small nations whose presence here is little noted by the media or the public. My request to you and your committee is that an adequate level of security for me and my wife be continued. It may be quite possible that the Secret Service experts can reduce the level and cost of this protection. If so, we would not object in any way.

I wish you well in your efforts. If any of your staff members would like to discuss these matters further, I would be glad to cooperate.

Sincerely,

Jimmy Carter

cc The Honorable Jim Wright
The Honorable Robert Byrd
The Honorable Robert Dole
The Honorable Robert Michel

OFFICE OF RICHARD NIXON

October 23, 1987

Hon. Lawton Chiles
United States Senate
Washington, D.C. 20510

Dear Senator,

On October 6th your aide, Mr. Coakley, sent me a letter enclosing materials having to do with the proposed Former Presidents Act of 1987 (S. 1647) and offering to entertain questions or comments. I therefore thought I would take this opportunity to acquaint you with certain policies adopted and actions taken by President Nixon of which you are apparently unaware.

Secret Service. As you noted in your remarks, President Nixon has voluntarily relinquished the lifetime protection to which he is entitled, though he did so in August 1985, not last year as you stated. In doing so, he told Secretary Baker that he believed it was no longer appropriate for the taxpayers to bear the cost of his security. You should also be informed that Mrs. Nixon voluntarily gave up her protection in 1984. By virtue of these two decisions by two individuals, the U.S. Government saves $3 million a year -- over ten percent of your figure for 1988's total estimated "cost of former Presidents to U.S. taxpayers," as you have put it.

Doing without Secret Service protection has not forced the former President to curtail his activities in any way. With his privately-funded security he has travelled abroad three times, including an eleven-nation around-the-world trip in 1985. He has gone to numerous professional baseball and football games (usually sitting in the stands rather than in VIP boxes), visited Rockefeller Center at the height of the Christmas rush, eaten in fast-food restaurants, and given speeches to sellout or standing-room-only crowds in Paris, Beijing, Moscow, New York, Washington, Los Angeles, and San Francisco. He and Mrs. Nixon dine together frequently at restaurants in

Manhattan. At no time has there been an incident that impelled them to reconsider their decisions.

Incidentally, your report shows that in 1985, the year President Nixon gave up his protection, total Secret Service costs for former Presidents (and presumably former First Ladies) were $11.4 million. Early that year an official of the agency visited him in his New York office and, in response to a question, said that the figure was actually $26 million a year.

Alleged abuse of tax dollars. In your remarks you made the flat statement that "tax dollars have been used to help former Presidents become wealthy." As regards President Nixon your statement is totally wrong and unfair. There being only three living former Presidents, I would respectfully suggest that it would not have been too difficult for your staff to investigate whether your statement accurately described their activities.

Book staffs. S. 1647 would proscribe the use of Government funds for the preparation of memoirs and for other income-generated activities. In fact, President Nixon has had a policy of maintaining separate budgets, and funding them personally, for all expenses, including extra research staff, for the five books he has published since leaving office. Also, he personally purchased all five of the computers and word processors in his office, even though they are used primarily on work that has nothing to do with his writing. He has declined all offers to sit on corporate boards of directors.

Speech honoraria. S. 1647 would also prohibit the use of Government funds for the preparation of speeches given for pay. Again, this provision is irrelevant as far as President Nixon is concerned, though its inclusion in a bill that applies only to three living people is tantamount to saying that he is misusing

Government funds. In fact, he has not accepted a fee for a speech since 1953, when he became Vice President. (This information is widely available, having appeared in the media and in the Congressional Record last year through the courtesy of Congressman Jacobs of Indiana.) As his assistant in New York I turn down over $600,000 a year in offers in his behalf. He chooses forums for speeches based solely upon his judgement as to whether the place and timing are right for public statements about sensitive foreign policy issues. Among the organizations he has addressed recently are the American Society of Newspaper Editors, the American Newspaper Publishers Association, the Los Angeles World Affairs Council, and the Economic Club of New York. It thus appears that President Nixon's actions are perfectly in keeping with the intent of the original former Presidents legislation, which, as you so eloquently put it, was designed to ensure a former President "a dignified retirement life, free from a need to commercialize the prestige of the Office of the Presidency..."

Nixon Birthplace and Library. Recently $3.5 million was authorized by a House subcommittee for a Carter Historical Site at Plains, Georgia, which will include three houses, a high school, and a railroad depot. President Nixon fully supports this gesture to President Carter. In contrast, however, the Nixon Birthplace Foundation at Yorba Linda, acting at the request of the former President, last year informed the Congress and the National Park Service that it intended to open President Nixon's five-room Birthplace to the public as a private non-profit historical site, without any expenditures of Government funds. Plans are also underway for the Nixon Library at Yorba Linda to open its doors as a private, non-Governmental institution.

Office allowance. Secret Service protection and Presidential libraries account for over 95% of the $27.6 million you estimate former Presidents

will "cost" next year. Of the $26.3 million you say will be spent in these areas next year not a dollar will be spent on President Nixon. I am sure you will agree that the remaining amount is relatively trivial, especially in view of the savings the Nixons have made already by their decisions on Secret Service and the Birthplace and Library. Of the $280,000 appropriated last year for the single office of his "imperial former Presidency," as you put it, in the Manhattan Federal building, $104,000 was spent on rent (almost 35% more than the year before as a result of a sharp rent increase by the General Services Administration) and a total of $96,000 for salaries of an administrative aide and two secretaries. Last year we spent almost $10,000 less than our appropriation for salaries after the voluntary 5%-a-year salary cuts all three employees took in the spirit of Gramm-Rudman. President Nixon made up the difference out of his own funds.

The rest of our budget is spent on staff travel (President Nixon always pays his own travel expenses, which makes most of his speaking trips money-losing propositions since he refuses to be paid for speeches), postage, giveaway photographs, stationery, subscriptions to a handful of research publications (he pays for all of his personal magazine and newspaper subscriptions), telephones, and photocopying.

When we undertake mailings of his speeches and other materials about him, it is President Nixon's general policy to pay for copying and postage himself. Accordingly he will pay to have this letter distributed widely -- such an action, regrettably, being the only way people will discover the truth about the way he conducts his affairs in an era of careless talk about the "imperial former Presidency."

Sincerely,

John H. Taylor
Assistant to President Nixon

OFFICE OF RICHARD NIXON

April 14, 1986

Mr. Jim Newton
The [redacted]
1000 Connecticut Avenue, Ninth floor
Washington, D.C. 20036

Dear Jim,

As I told you last week, I thought I'd write and expand upon some of the points we discussed over the telephone.

President Nixon believes that former Presidents in conducting their affairs should place the least possible burden upon the public purse. But by taking the actions he has taken he does not wish to suggest that others should follow suit. He has taken them simply because he thinks they are right given his own circumstances.

Secret Service: On a number of occasions between the time he left office and when he made his decision last year to terminate his Secret Service protection, he urged the agency to reduce the size of the details assigned to him and Mrs. Nixon. He also urged the Secret Service to reduce drastically the number of agents who accompanied him abroad on his visits to China and other countries, arguing that his hosts always provided more than enough security. The former President's suggestions were never followed. In 1984, Mrs. Nixon voluntarily gave up her detail. Then, early last year, President Nixon met in his New York office with an official of the agency who told him that the annual cost of protecting former Presidents and First Ladies was $25 million -- $3 million of which was spent protecting President Nixon, apparently because he travelled less than Presidents Ford and Carter. With the Federal budget crisis looming, he decided to terminate his protection effective July 31st, 1985, and to pay for his security from his own funds. In September, he travelled around the world without mishap, accompanied only by one aide (me) and one security

officer, a retired 20-year veteran of the Secret Service, Michael Endicott. Mr. Endicott reported that the host governments were more than willing to take full responsibility for protecting President Nixon. In fact, many were surprised and delighted that they were being entrusted with this responsibility -- and also that they would not have to arrange accommodations for 20 or 25 agents.

Office staff: Through his Federal office allowance President Nixon employs three people: two secretaries and myself. Before March 1st, our total salaries were $88,000 a year, $8,000 below the maximum permitted former Presidents for their office staffs. Now that the 4.5%-a-year Gramm-Rudman reductions have gone into effect for Federal agencies, President Nixon is taking further steps to reduce costs. Under Gramm-Rudman our FY 1986 budget would be $230,800. No salary cuts are required. Nonetheless, President Nixon has instructed me to see that the office spends at least an additional 5% less than the Gramm-Rudman-mandated level. Accordingly his three staff members have taken a voluntary 5%-a-year cut in their Federal salaries (to a total of $83,600, $12,400 below the maximum budget for salaries); the former President will pay us the difference from his own funds. We have also cut all office magazine subscriptions (transferring them either to the former President's accounts or mine), given up one of our two parking spaces (which will save nearly $3,000 in FY 1987), and taken other actions to cut overall expenses.

Early last year, before Gramm-Rudman was an issue, President Nixon voluntarily gave up 15% of his office space in 26 Federal Plaza, a savings of over $10,000 a year, as a cost-saving measure.

Travel Expenses: When the former President travels, he pays his personal expenses from his own funds. He is entitled to have two aides -- usually Mr. Endicott and me, though often he takes just Mr. Endicott -- accompany him and be reimbursed from his Federal budget. To cut travel expenses,

however, we have begun a new policy of whenever possible having the former President's hosts reimburse Mr. Endicott and me for expenses the Government would normally pay. For instance, next Monday the former President will address the AP luncheon of the American Newspaper Publishers Association. The AP has agreed to pay for plane tickets for President Nixon, Mr. Endicott, and me. The total cost to the Government will be $75 a day each for Mr. Endicott and me for lodging and meals, plus phone calls and taxi fares.

Honorariums: Incidentally, though he is frequently offered up to $25,000 for appearances, President Nixon accepts no honorariums or fees for any of the speeches he gives or appearances he makes.

Research assistance: President Nixon has written five books since leaving office. He has paid for all of the research and secretarial support he has used on these projects out of his own funds.

I hope this information is of use to you.

Sincerely,

John H. Taylor
Administrative Assistant

60 MINUTES

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Mike Wallace, Morley Safer, Harry Reasoner, Ed Bradley and Diane Sawyer

"JOE RICCI IS A MARKED MAN" – Produced by Allan Maraynes

"MOHAMMED" – Produced by Joseph Wershba

"ALL THE EX-PRESIDENT'S MEN" – Produced by Marion Goldin

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"ALL THE EX-PRESIDENT'S MEN"

MIKE WALLACE: Among the perks and privileges we bestow upon our former Presidents are pensions of almost $90,000, several-hundred-thousand-dollar offices and office staffs, and presidential library staffs. Add to that "All the Ex-President's Men", all of the Secret Service men and women who provide round-the-clock Secret Service protection for life to all ex-Presidents, their wives or widows. The taxpayers' tab for that protection: between ($)10- and $12-million a year, a cost that critics charge is too high because it lasts too long and may not really be necessary. It turns out it costs about as much to support our ex-Presidents in the style to which they've become accustomed as it does to run the White House.

This is ex-President Gerald Ford on his way from one of the numerous board meetings he attends each year. But who are all those people with him? His Secret Service entourage. Wherever he goes, they go. And their salaries, their transportation, their hotels, their travel expenses, are all paid by the U.S. government. It's a bill that adds up to more than three-and-a-half million dollars a year for Ford and his wife Betty, for security, for privacy, for chauffeuring and for a lot of waiting.

PRESIDENT GERALD FORD: And in the business that I'm in of making too many speeches—

WALLACE: By his own admission, former President Ford makes a lot of speeches. At $20,000 for some appearances, that is several hundred thousand dollars a year from lecturing alone. And those corporate boards that Ford has joined also bring in big bucks for him. According to the financial newspaper Barrons, he earned almost a million dollars in company fees last year—total income, $1.7-million.

We had never seen just what the Secret Service does for ex-Presidents, and no one was very anxious for 60 MINUTES to find out. The Secret Service wouldn't cooperate with us at all. Neither, initially, would former President Ford. Nonetheless, we were able to follow Ford and his Secret Service entourage over several months.

PRESIDENT FORD: Distinguished guests, ladies and gentlemen, it's a very high honor for me . . .

WALLACE: November, 1985, Grand Rapids, Michigan. Ford returns to his hometown for a speech. So do his Secret Service agents.

December, '85, Washington D.C. Ford makes another speech. The Secret Service are there to protect him.

March, '86, New York City. Gerald Ford addresses a college business seminar, the Secret Service again very much in evidence.

PRESIDENT FORD: If you will notice, for example, and you may have, I carry my own luggage. I take care of those things that are my responsibility. The Secret Service has the obligation for security and nothing more, and we don't expect them to.

(President Ford greeting security men: "Good morning." "Good morning.")

WALLACE: With due respect to the former President, he appears to be treating these Secret Service agents more as valets than as security men.

PRESIDENT FORD: Get the door open, and I'll jump in. Get the door open! There we go.

WALLACE: William Simon used to be Secretary of the Treasury. That means he used to be the boss of the Secret Service.

WILLIAM SIMON: They're along to find golf balls for you on the golf courts (sic—course), which they're pretty good at.

WALLACE: January, 1986, Palm Springs, California—the Bob Hope Classic.

(Applause)

MAN: The President has played in the Bob Hope Classic ever since he came out of office. This is his tenth consecutive year.

WALLACE: Gerald Ford is a regular here. So are his Secret Service agents. Today they look to all the world—except for those telltale ear pieces—like a couple of Sunday duffers. One day, his Secret Service agents must meld into the golf course scene; the next, they must appear to be the picture of the perfect guest at the Carousel Ball, mixing unobtrusively with high-powered celebrities like Cary Grant and Mary Martin and Kenny Rogers. The taxpayers also pick up the tab for the agents' tuxedo rentals, when necessary.

You are afraid of, what, some nut coming out of a crowd and doing it to you, or somebody planning to go after Gerry Ford?

PRESIDENT FORD: Well, Mike, I can still recall in Sacramento when Squeaky Fromm had a gun in her hand and she was about that far away from me with a pistol, ready to pull the trigger.

WALLACE: Yes, but then you—

PRESIDENT FORD: And I also recall very vividly the shot that Sarah Jane Moore took at me. So, my feeling about security is obviously conditioned based on those two experiences. Now—

WALLACE: You were President then, though.

PRESIDENT FORD: Yes.

WALLACE: Who wants to go after good— (President Ford laughing) --I mean it, good Gerry Ford?

PRESIDENT FORD: Well, a lot of good people have suffered as a result of terrorism.

WALLACE: That is not what concerns former President Jimmy Carter. He is willing to admit that what he likes about his lifetime Secret Service protection is the convenience, not the security.

PRESIDENT JIMMY CARTER: If a former president wants to play at all an active life, being frequently exposed to the public, sometimes very large crowds, making some travel in foreign countries, it's— it's not a matter of protection from assassination or injury, but it's a— it's a matter of providing some degree of privacy. Here in Plains, we have a steady stream—not a large stream, but a steady stream—of tourists who come to Plains, and in order for us to get any rest, or to do our work here in Plains we need some privacy. So, I would say the Secret Service is more needed for privacy than for security.

WALLACE: Jimmy Carter, former President Carter, says that he uses Secret Service not so much for protection as for the guarding of his privacy, that people would come up and— and-- and accost him, conceivably, on the street, him and his wife.

SIMON: Well, then I suggest he buy a fence. He is a public person, and he should be pleased. Someday maybe nobody'll come around.

WALLACE: And "nobody" appeared to be very much in evidence this evening in Manhattan. Nonetheless, two teams of Secret Service agents accompanied Jimmy and Rosalyn Carter and waited for them to leave an exclusive dinner party. We were unable to count the number of agents who accompanied the Carters inside.

Former President Richard Nixon has given up his Secret Service detail. He pays for his own protection now, because, he says, the $3-million his own detail cost is not an expense that should be borne by a government that is being forced to consider cutting defense and domestic programs to the bone. In declining further protection Nixon wrote, "It doesn't seem like much, but to paraphrase Everett Dirksen, a million here and a million there adds up to a lot of money."

Ex-presidents didn't always have Secret Service protection. When former President Harry Truman left the White House for Independence, Missouri, back in 1953, he went without his Secret Servicemen. Truman didn't want any agents following him around in retirement. But in the aftermath of President Kennedy's murder, the Congress sent Secret Servicemen back to the Trumans' doorstep. Harry Truman wasn't pleased. His daughter Margaret was.

Let me read you something that we received from the Truman library this morning. It's from your father to James Rowley, who was then the head of the Secret Service. He says, "Dear Jim, I phoned you this morning and told you there was no reason for the protection you've been providing for me and Mrs. Truman. I have been 13 years without it and have had no trouble. I will appreciate it very much if you will relieve me of this protection"—which sounds, I must say, very much like Harry Truman. (Laughing)

MARGARET TRUMAN (laughing): Yes. But they didn't. They were there anyway.

WALLACE: In spite of the fact that he did not want it.

TRUMAN: Yes.

WALLACE: Why wouldn't he have wanted it?

TRUMAN: Well, I don't think he felt he needed it, but I was glad they were there anyway.

WALLACE: It made you more comfortable if—

TRUMAN: It made me more comfortable, yes. But I'm sorry that it— if it cost the taxpayers a great deal of money, because I'm a taxpayer.

SENATOR LAWTON CHILES: We see that the— that's enabled spending for former Presidents to just simply get out of hand.

WALLACE: Lawton Chiles is Florida's senior United States senator. For years, Senator Chiles has been pushing a bill that would limit Secret Service protection to five years for ex-Presidents, two years for their wives or widows.

Didn't the Secret Service have to stay on with Mrs. Truman after her husband died?

SENATOR CHILES: Well, yes they did, and they stayed on for a number of years. Again, that's one of the ways this came to my attention. They had to come to get some additional money because they were having to rotate the detail that was covering Bess Truman on a "more often" basis, because these poor fellows were sitting across the street, peering through their field glasses at Bess Truman's room, where she was comatose at the time, and they were going bonkers. Mamie Eisenhower was in the— virtually the same condition; again, had this coverage. And I asked the Secret Service many times, was there any threat, ever any assessment of threat in— in those cases, and they said no.

MAN: Will you please join me in welcoming former Presidents Jimmy Carter and Gerald Ford. (Applause)

WALLACE: What happens when two former Presidents show up in the same place? Twice the number of Secret Service agents show up along with them. That's what happened recently at Vanderbilt University when Presidents Ford and Carter both spoke and the bleachers were filled with double agents. Neither Rosalyn Carter nor Betty Ford accompanied their husbands to Vanderbilt; but, wherever they were that evening, they too were being protected by their own Secret Service details, as was Lady Bird Johnson, still protected 17 years after the Johnsons left office. And unless Senator Chiles has his way, all ex-presidential wives and widows will continue to be protected for life.

What troubles you about it? Is it a question solely of money, Mr. Simon?

SIMON: No, it isn't. We're a wealthy country; and if, in— if, indeed, it were needed, then I'd be the first one to say that it ought to be done, because I believe that the protection of a public figure in a dangerous world is terribly important, and that's—

WALLACE: Well, then why are you—

SIMON: Because I just think that for a period of time after one leaves office, new people are in, and it's— it's no longer required for his, quote, "protection".

WALLACE: Dick Kaiser is retired from the Secret Service now, but he was head of President Ford's White House detail.

DICK KAISER: I would think that a former President is a target. I would hate to see, and I think it would place the President of the United States and the nation in a very embarrassing situation, if they had to barter one of our former Presidents.

WALLACE: The possibility of kidnapping by a terrorist group or terrorist individual?

KAISER: I think that's very, very possible, surely.

WALLACE: This is the time of the terrorists, Senator Chiles. What about that? Wouldn't an ex-President or a former President's wife or widow be fair game for a terrorist who wanted to hold the United States to ransom?

SENATOR CHILES: I— I think that in some circumstances perhaps that could be true. What normally happens with a former President, when he goes out of office and has a high visibility, he still in some ways can be a target, and there are still threatening letters and all. As that time goes on and he kind of comes out of the limelight, that certainly diminishes. But let's take President Nixon. He has— he has declined his coverage. If President Nixon can give up his coverage, any former President ought to look at it very long and hard and determine whether he could give up his. For example, if Gerry Ford wants to go and make a speech, he will pay his own way to that speech, but we, the taxpayers, pay for the Secret Service. Now we'd be better off to pay Gerry Ford to stay at home than what it costs us to ferry the Secret Service, to set up the cars, to set up all of the security for that speech.

WALLACE: There will be those who say, "Look, Gerry Ford is a very wealthy man today. He needs protection. Why does he not pick up the tab himself the way, for instance, Richard Nixon is now doing?"

PRESIDENT FORD: Well, first you have to know that former President Nixon had coverage as Vice President, as President and subsequently for about 25 years.

WALLACE: Until— until a year ago.

PRESIDENT FORD: And at the proper time, a decision will be made by me to eliminate that protection. I'm not going to make the mistake of publicly saying so because that's just an invitation to somebody to do what Squeaky Fromm and what Sarah Jane Moore did while I was in the White House.

WALLACE: Nixon made an announcement. Richard Nixon announced it.

PRESIDENT FORD: Do you think that was smart?

WALLACE: Apparently you don't.

PRESIDENT FORD: I think I've indicated that I won't handle it that way.

WALLACE: Gerald and Betty Ford have not yet given up their Secret Service protection. They've had it for 10 years now at a cost of more than $30-million. But they are not alone. Jimmy and Rosalyn Carter still have theirs; so does Lady Bird Johnson.